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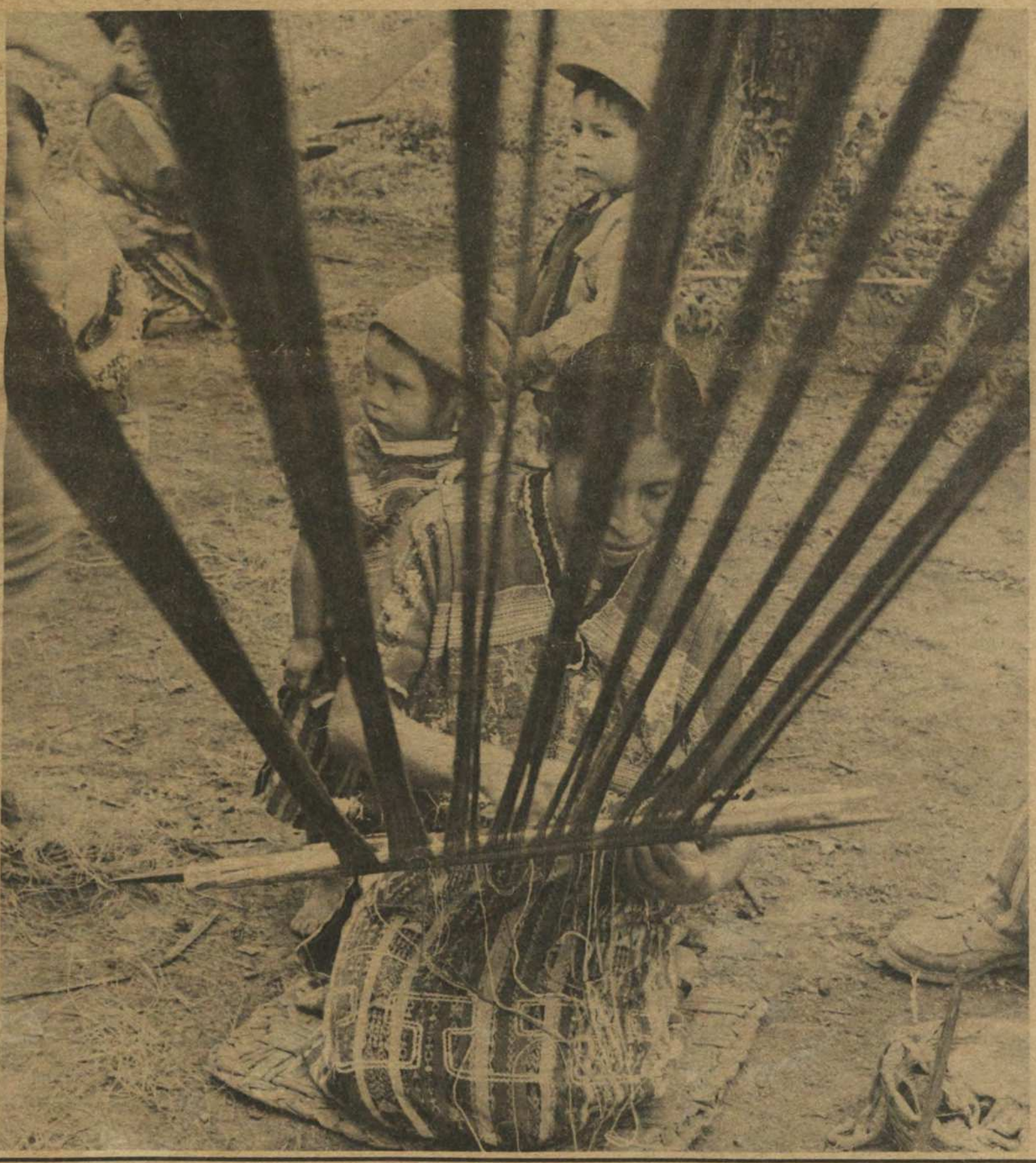

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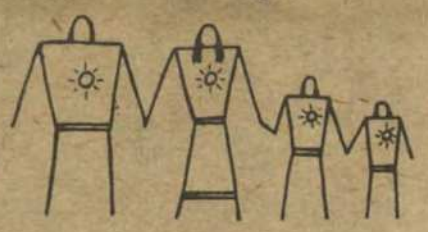

A NEW WAY TO HELP NOTES

Your contributions to AKWESASNE NOTES can now be tax–deductible. The Youth Project of Washington, D.C., a public foundation under 501–C–3 of the Internal Revenue Code has agreed to take NOTES under its wing as a research and educational project.

If you would like to support these efforts and receive the benefit of a tax–deductible contribution your check should be made out to Akwesasne Notes/The Youth Project, and sent to us here at NOTES.

CHANGE OF ADDRESS--IMPORTANT!!!

When notifying us of a cancellation or a change of address PLEASE send in your address label from the latest NOTES issue recieved. It makes the work of keeping our mailing list up to date a lot more manageable.

HOW IT IS WITH US

In our work, we can say that we have always gotten along with little or no money, with old if not obsolete equipment. (In fact, the typesetting machine that had faithfully kept us going for 8 years finally died during the production of this issue) -- but we absolutely can not survive without the strength of commitment, without that positive feeling.

At the Mohawk Nation, recently, Julius Cook was elected to office (see AKWESASNE NOTES, Vol. 13, #3,) and a three–question referendum was held. The results were that the Akwesasne Police were disbanded, 25 CFR (the Code of Federal Regulations, secretly adopted by the Tribal Council this Spring) was rejected, and Attorney Arthur Gajarsa was fired as general council and as land claims attorney for the Tribal council. There will be a full report in the upcoming issue.

We have abandoned our offices and living quarters at Owl's Head. During the past five years, Owl's Head has served as a major hospitality center for young people and for visitors to the Mohawk Nation and AKWESASNE NOTES. The use of the land and buildings was donated to us through the good graces of Mrs. Nettie Tamler, and we can honestly say that her generosity made the difference between survival and extinction for our work. We are very grateful for the support she has given us through some very difficult times.

Owl's Head served us well. It was the residence for dozens of people who, over the past years, have served to make AKWESASNE NOTES a reality. Hundreds of people spent time there. We left the premises more than a year ago, although the buildings continued to serve as a guest house and as a work space for many people since that time. We will always remember that place as one which nurtured our lives and our spirits, as will the many people we touched and who touched our lives there.

AKWESASNE NOTES, we are reminded, is more than a journal of Native Peoples. It is a journal which speaks to the problems of these times of land based peoples throughout the world. Our commitment is to those who inhabit the earth, and who would reinhabit the earth, including the generations yet unborn. To that extent, our work is both a great responsibility and an honor.

This issue, once again, is full of bad news. We do not wish it that way; we merely have an obligation to reflect that reality. The time has come to re–strengthen ourselves, to re–commit ourselves. More than anything, this is what we ask. That is how it is with us.

Akwesasne-

"ANOTHER POINT Of VIEW"

The first principle of mass media news coverage is to be fair and complete. For the most part, professional journalists believe they are living up to this standard. But are they, especially with issues involving Native people? Amid the pressures of time and economics, are they missing some really important issues?

A recently released 28 minute documentary film, AKWESASNE - ANOTHER POINT OF VIEW, explores this subject and raises some important questions. The film is about the continuing struggles of the traditional people at Akwesasne, but it touches issues of concern to Native people everywhere. Issues like vigilante activity, fairness of law enforcement, interference of federal and state governments in local affairs, waste of taxpayers money, pollution, continuing loss of land, and the future of our children and our grandchildren's children.

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Guatemala:

The Social Roots of the Indian Resistance

"No one has ever been able to organize the Indians, but if anyone should, God save us."

--

Guatemalan businessman (1980)

"The presence of the Indian people in the revolutionary popular war -- in all its forms of struggle -- is a political and military fact that the present government can no longer deny or contain. It is critical to understand this particularity of the Guatemalan revolutionary process, in order to fully understand the magnitude and depth of the revolutionary transformation which the country is undergoing."

--

Guerrilla Army of the Poor (1981)

Located in hundreds of small communities scattered throughout the majestic Western Highlands and speaking 22 different languages, Guatemalan Indians are increasingly assuming positions of leadership in the guerrilla movement, and experiencing the brunt of the Lucas government's program of violence, terror, and repression.

Although periodic Indian revolts occurred throughout the Colonial and independence periods, the roots of the current Indian resistance must be traced to the land and labor legislation that accompanied the Guatemalan Reform period in 1871. Beginning in that year and continuing until the fall of the regime of Jorge Ubico in 1944, the entire apparatus of the Guatemalan state -- its legislative machinery, its police powers, and its departmental and municipal organization -- was geared to mobilizing Indian labor for the demands of the growing coffee economy of the Guatemalan Pacific coast.

Between 1871 and 1944, a vast body of agrarian legislation was passed to satisfy the labor needs of the new class of coffee planters. At the same time, the Guatemalan government instituted a number of laws to expropriate Indian communal lands. In 1884 alone, over 100,000 acres of Indian municipal lands passed into private hands. During this period, **ladinos** or non-Indians titled large areas of the Departments of El Quiche, Huehuetenango, Solola, Chimaltenango, Quezaltenango, San Marcos, Alta Verapaz and Baja Verapaz. They also migrated in large numbers into the Indian highlands, assuming control over local municipal governments and serving as hiring agents for the coastal coffee plantations.

The land and labor legislation of the Guatemalan Reform period explains the present pattern of agrarian poverty and underdevelopment that exists in the highland region. According to the Guatemalan Agrarian Census of 1964, nearly 88 percent of the farm units in Guatemala -- microfincas and sub-familiar farms -- are too small for subsistence and occupy only 20 percent of the country's land area. On the other hand, a mere 2 percent of the farm units -- essentially large coffee, cotton, sugar cane, and banana plantations -- control nearly 60 percent of the land area.

Even more revealing is the ethnic distribution of land ownershp in Guatemala. The highland region of the country is characterized by the classic **munifundia** pattern of peasant agriculture with its low productivity, lack of access to credit, and severe soil erosion. Over 90 percent of the farm units enumerated as belonging to Indians in 1964 were insufficient in size to support an Indian family for a year. Moreover, within the highland region itself, there is a clear pattern of class stratification along ethnic lines. According to the 1950 Agrarian Census, in all nine highland Indian departments -- with the possible exception of Totonicapan -- the average size of ladino farms was significantly larger than that of Indians.

On almost every social indicator, Guatemalan Indians are among the poorest population groups in Latin America. Per-capita income in the Guatemalan highlands is estimated to be below $200 per year. Illiteracy rates reach 80 percent in the countryside. Eighty-one out of every 1,000 babies born in Guatemala die in their first year of life. Population in the nine highland Indian departments has grown at an average rate of 2.5 percent per year.

Faced with these conditions, Indians have been forced to supplement their meager farm incomes by seasonally migrating as farm laborers to the large coffee, cotton, and sugar cane plantations of the Guatemalan Pacific coast. In the late 1960s, this seasonal farm labor stream numbered more than 600,000 people. The average daily wage for farmworkers at this time was 80 cents and living conditions, according to an International Labor Organization study, "were totally unacceptable with regard to hygiene, health, education, and morality."

During the regimes of Presidents Juan Jose Arevalo (1945 through 1950) and Jacobo Arbenz (1951 through 1954), the Guatemalan government attempted to alleviate some of these conditions. The revolutionary governments of Arevalo and Arbenz recognized the historic conditions of economic exploitation and cultural discrimination faced by Indians, and they tried to redirect government programs toward the country's massive peasantry. The specific needs of Indians, for example, were addressed in the Guatemalan Constitutin of 1945, the Law of Forced Rentals of 1947, and the Agrarian Reform Law (Decree Number 900) of 1952. Anthropological studies indicate that a widespread "sociological awakening" took place in Indian communities during the revolutionary period. For the first time, the government promoted the establishment of schools, clinics, technical assistance programs, political parties, and local agrarian committees in the Indian highlands.

Following the Castillo Armas takeover (a well-recognized CIA-run invasion) in 1954, the Roman Catholic Church began to have a greater influence in Indian communities. With the support of the government and a conservative Archbishop foreign missionaries were given permission to set up schools, clinics, and parishes in Indian areas. Initially, these missionaries were "anti-communist" in their political philosophy and motivated by a desire to wipe out the traditional religious brotherhoods or **cofradias** of the Indians. After the Second Vatican Council in 1962 and the Latin American Bishops' Conference in 1968, a more socially reformist orientation began to characterize Roman Catholic missionary work.

The Roman Catholic Church played an extremely important role in the development of the cooperative movement in Guatemala. Although some attempts at cooperative formation had taken place during the Arevalo regime, these came to a halt after the Arbenz agrarian reform law was passed in 1952. In the late 1950s and early 1960s, however, the Church began to promote cooperatives in rural areas. By 1967, there were 145 agricultural, consumer, and credit cooperatives actively functioning in the country with a membership of over 27,000 people.

During the late 1960s and early 1970s, the U.S. Agency for International Development provided several million dollars for the further development of the cooperative movement. By March 1976, there were 510 cooperatives in Guatemala, organized into eight large federations, and with a combined membership of more than 132,000 people. Fifty-seven percent of these cooperatives were located in the Indian highlands where, according to reports written at the time, they were having a major impact on Indian political attitudes, marketing strategies, and agricultural techniques.

In 1974, President Kjell Laugerud took the unprecedented step of providing official support for the cooperative movement. Jose Migel Gaitan, an outspoken supporter of the cooperative movement, was named deputy manager of BANDESA--the national agricultural credit bank-- and the government promised several million dollars for cooperative development. A number of cooperative leaders were also invited to the presidential palace to discuss the role of the cooperative moment in the government's new five-year development plan.

The motives behind the government's new policy toward the cooperatives became clear following the tragic earthquake that shook Guatemala in February 1976. The Guatemalan earthquake, as many observers have noted, was as much a "class phenomenon" as it was a "natural disaster." Most of the damage took place in slum areas of Guatemala City and in the Department of Chimaltenango, where the cooperative movement had its greatest strength. In the aftermath of the earthquake, the government proved entirely incapable of directing the national reconstruction effort. Hence, cooperative members sought independent aid from international relief agencies and began the process of local reconstruction themselves.

Just one month after the earthquake, the government also began military operations in the Department of El Quiche. At the same time, a full-scale military effort was launched along the Northern Frontier Strip, where a number of international petroleum companies had been given exploration permits and where, for several years, the government had promised peasant colonists titles to land.

The scope of this militarization of Indian areas came to world attention in May 1978 when members of a special forces unit of the Guatemalan army killed over 100 Kekchi' Indian peasants in the town of Panzos, Alta Verapaz. Many people hoped that the international attention that focused on the Panzos massacre would bring an end to government terrorism and violence. The Panzos massacre, however, was only the beginning of a more systematic campaign of terror against the Indian peoples of the country.

Throughout 1978 and 1979, the military occupied several towns in El Quiche, kidnapping catechists and cooperative members under the premise that they were assisting guerrilla forces in the area. In January 1980, a group of Quiche peasants went to Guatemala City to protest the military occupation of their communities. The peasants were particularly outraged by the disappearance of seven cathechists from Uspantan who the army had kidnapped, executed, and then buried in a common grave near Chajul. After taking their case to the Guatemalan Congress and several radio stations, the Indians went to the Spanish Embassy to seek the assistance of the ambassador in obtaining an investigation of the deaths. The Guatemalan government responded to the peasants by surrounding the embassy with police and then burning it down. Thirty-nine people were killed in this incident, including 30 peasants from Quiche, seven embassy staff members and two Guatemalan politicians.

After the Spanish Embassy massacre, it became clear that only a well-organized and clandestine movement would be able to counter the violence of the government. In 1978, a new organization called the Committee for Peasant Unity (CUC) was formed to defend the rights of farmworkers in Guatemala. CUC is the first labor organization in the history of Guatemala to link highland Indian peasants with poor ladino workers. While the organization had been forced to function in secrecy and has seen many of its leaders killed, it has the support of thousands of seasonal and permanent farmworkers.

In February 1980, CUC called a strike of 70,000 cane cutters and 40,000 cotton workers, forcing the government to raise the legal minimum wage of farmworkers from $1.12 to $3.20 per day. The following September, another CUC strike of 10,000 coffee pickers almost led to the abandonment of the coffee harvest on fifteen plantations in the municipality of Colomba. The coffee strike was particularly important, because it occurred in an economic sector that employs more workers, provides more tax revenues, and accounts for a greater proportion of export earnings than any other part of the Guatemalan economy.

Currently, two guerrilla organizations-- the Guerrilla Army of the Poor (EGP) and the Revolutionary Organization of the People in Arms (ORPA)-- are also active in Indian areas of Guatemala. The EGP, which was organized in 1975, has been particularly active in the departments of Huehuetenango, El Quiche, and Alta Verapaz, as well as along the south coast around Escuintla. In the northern highlands, the EGP has ambushed a number of army patrols, and perfected a tactic of "armed propaganda." Guerrilla units will launch lightning raids of towns and plantations, and then hold propaganda meetings in the native languages. Over the past two years, the EGP is reported to have established a firm base among the local indigenous population. The EGP Ernesto Guevara guerrilla front, which was established in Huehuetenango in 1979, is said to be made up almost entirely of Indians.

ORPA has had similar successes among Indian peoples in the center and western parts of the country. In September 1980, ORPA occupied several Indian towns around Lake Atitlan in the Department of Solola, conducting propaganda meetings among local residents, and forcing many tourists to leave the area. In response, the Guatemalan government set up an army base in Santiago Atitlan and began to terrorize the local Indian population. Gaspar Culan-- the director of the Indian language radio station, La Voz de Atitlan- and several other Indians were murdered by the army in one of its anti-guerrilla raids. When the people protested about this incident and other acts of repression by the army to the mayor of Solola, they were told that they could expect no help from the government as long as ORPA continues to function in the area.

During the past several months, the civil war in Guatemala has become so intense that the government has begun to kidnap and murder anyone who is involved in rural development work. Last February, the army entered the village of Las Lomas in San Martin Jilotepeque in Chimaltenago, burned all of the houses to the ground, and killed more than 85 Indian men, women, and children. Current death lists in Chimaltenango include members of the National Reconstruction Committee, leaders of community organizations, officers of cooperatives, credit unions, and artists' groups, Christian Democratic mayors, school teachers and lawyers, and even members of the local Alcoholics Anonymous.

There is a common saying in Guatemala that when the Indians begin to rise up, the volcanos that dot the mountain landscape will begin to erupt. Today, the Indians of Guatemala are only beginning to flex their muscles. Someday soon, however, the full force of the volcano will erupt. When that happens, a new Guatemala will be born.

--

Shelton H. Davis

(This article is adapted from a longer, annotated version. It comes to us through the courtesy of the Anthropology Resource Center, Boston, Mass. - The Eds.)

El Salvador: Profile Of A Tortured Land

EL SALVADOR

El Salvador is a tiny impoverished land, a land with a long sad history of colonial rule with all its trappings: brutal repression, poverty, slavery, starvation, torture, death.

It is a land which has long been subjected to brutal military dictatorship. The country which is presently known as El Salvador has social roots which stretch back to the time when the area was part of the Spanish Empire. The king of Spain once divided the country into 14 departments, and he granted each of these to a retiring army general or other colonial official. The descendants of these men constituted the "14 families"; the Old Guard ruling class of El Salvador who dominate its political and economic life today.

Modern El Salvador was born in 1821 when the Spanish Emire collapsed in Latin America. After that, for the next 55 years, the country continued as an isolated, weak state. The "14 families" revolved in leadership. Land ownership was decentralized, and most peasants enjoyed small but adequate self-sufficient farms.

Then, during the second half of the 19th century, a cash crop – coffee – entered the economy. The 14 families consolidated land holdings and transformed Salvador into a plantation. After that, there were revolts as the peasants attempted to regain their lost lands. Each revolt was brutally crushed. Coffee tied the Salvadorean economy to North America. Today, 90% of El Salvador's foreign credits come from coffee. The transformation to a cash crop cut the majority of the people off from a subsistence base, forcing them to work as laborers on the coffee plantations and making them victims of any market turndown.

The Depression years were particularly difficult. In late January 1932, Jose Feliciano Ama, the cacique (local Indian leader) of Izalco, was publicly hanged in a small plaza opposite the Church of the Assumption. Salvadorian soldiers then rounded up hundreds of other Izalco citizens. Those identified as Indians, either by their dress or their physical features, were bound together at the thumbs, marched behind the Church of the Assumption, and shot. Similar incidents occurred in the nearby towns of Juayua, Nahuizalco, Acajutla, and in the villages throughout the southwestern Departments of Ahuachapan, Sonsonate, and southern Santa Ana. When the massacre was over, about 25,000 Indians lay piled in common graves.

These killings were the official response to an uprising on January 22, 1932, when thousands of rural laborers and landless peasants briefly took control of several towns in El Salvador's rich western coffee-growing region and, in doing so, killed approximately 35 landowners and merchants (Anderson 1971).

The fears which generated such violent repression can be traced back to two aspects of the revolt: the insurgents were identified as Indians, and they were understood to be "Communist-inspired." Since Communists and other social organizers had been active in El Salvador for over a decade, it was convenient, perhaps tempting, to single them out as the cause of the revolt. Indeed, those most commonly identified as leaders of the 1932 revolt -- Augustino Farabyndo Marti, Mario Zapata, Alfonso Luna, and Miguel Marmol -- were strongly influenced by Marxist writings and had worked to gain popular support in rural and urban areas. But to lay the revolt at their feet would simply perpetuate a misunderstanding of the movement and blur the motives for Indian participation.

Interpreters usually described the events as if they arose and were sustained largely by the energies of a few leaders, usually leftists. A recent New York TIMES essay illustrates this sort of thinking, for both the present and the 1932 revolt.

"In El Salvador ... the guerilla leaders are hard-line Marxists. ... The war they fight in the country is their own. The hero and namesake of their liberation front is Farabundo Marti, a Communist who led an uprising in 1932 that ended in his execution and the massacre of many thousands of peasants.

On the one hand, such a focus is a historiographic problem. Historians, in reconstructing the events, relied heavily on available written material. This automatically elevated literate urban organizers and their critics to prominent positions; their thoughts and actions were more easily retrieved. On the other hand, there was perhaps a genuine belief that a few charismatic or far-sighted individuals catapulted the events of 1932. While the vanguard for the revolution, then as now, emerged from among the urban middle class, to understand the evolution of such movements solely in terms of these individuals diminishes the rural population's ability to accurately define their situation and to work creatively to improve those conditions. Communism no more sparked the 1932 revolt than it has convinced the peasants to support the guerrillas today. Both movements, to a large extent, are responses by a local population hoping for a more secure and equitable existence.

The other critical aspects of the 1932 revolt, Indian participation and the fear of Indians which the movement revealed, momentarily exposed a strong Indian presence in El Salvador and then, ironically, further masked the group's distinctiveness. Oddly, El Salvador's volcanic landscape was once dotted with populous Maya and Nahuatl settlements; yet today it is considered to be one of the most "white" nations of Central America. Marroquin (1975:747), writing of Salvadoran Indians in general, states that "the first problem consists in locating the Indians and defining their characteristics in an environment that tacitly or explicitly denies their existence" (Emphasis added).

The NEW YORK TIMES article cited earlier provides a clue.

The Salvadorean middle class is by and large conservative and, historically, virulently anti-communist, as demonstrated by the bloody response to the 1932 uprisings. Many of the urban middle class joined voluntary militias then, reflecting a nascent racism among lighter-skinned urban Salvadoreans to darker, Indian peasants (Schumacher 1981:4EE).

Today, Indians are acutely aware of such sentiments. As a reaction to the repression of 1932, many consciously masked their ethnic identity. Adams (1957) writes that:

"one informant reported that following the termination of the movement, he noticed an overt effort on the part of Indians to take over Ladino ways. Previously, when migrants came to the fincas during coffee harvest, they manifested the usual Indian customs with respect to language and dress. Following the movement, the same people began to appear in ladino dress, and Spanish was used more frequently."

Similarly, in present day Izalco, "the position of cacique is not part of a

"Communism no more sparked the 1932 revolt than it has convinced the peasants to support the guerrillas today. Both movements, to a large extent, are responses by a local population hoping for a more secure and equitable existence."

hierarchy or extensive political system such as is found in traditional Guatemalan towns ... at one time the functions held by the Izalco cacique may have been vested in an officer of the Indian political system, but something (perhaps the downfall of the Communist movement) acted to separate him from the older organization." Such actions were reinforced by radio broadcasts, pamphlets, magazine and newspaper articles which, even three years after the revolt, called for the total extermination of El Salvador's Indian people as a means to prevent a repetition of the 1932 revolt (Ramirez 1977:XVIII).

Mutual fear, therefore, partially accounts for the infrequent mention of El Salvador's Indian population. And perhaps it helps explain why a national census, taken in 1930 but not published until 1942, lists only 5.6 percent of the population as Indians. By contrast, an unofficial survey indicated that about 20 percent actually recognized themselves as Indians (Marroquin 1975: Adams 1957).

The events of the 1930s, however, were not the only ones working to diminish the visible presence of Indians in El Salvador. Since the colonial period, a process referred to as Ladinoization, the blending of Spanish and Indian cultural characteristics, had been altering the ethnic composition of Central America. To differentiate an Indian from a Ladino, Adams writes:

...the word Indian is set strictly in a culural sense, when we refere to a person or a community as Indian, we are saying nothing about their racial or genetic inheritance; by the same token, when we say that a particular community is not Indian, we are not saying anything about racial characteristics. We are concerned here wholly with behavior, with socially shared habits and ways of life, not with biological or genetic questions. The term Ladino is used as in Guatemala and in adjacent parts of Cenral America to denote a population group which shares a variety of customs and habits which are partially of Indian and partially of Spanish or some other origin...

Ladinoization is thus a social process without any sharp differentiation or stages. Nevertheless, those Salvadorans who define themselves as Indians see themselves as somehow distinct from Ladinos. At any particular historic moment, this may be manifested in expressive modes such as dress, dance or language. But the nation's Indians, as a group, have been perpetuated historicaly through unique forms of social organization – integrated political, religious, and economic patterns.

In the early colonial period, Spanish control over Indians was maintained through an institution known as the encomienda, royal grants which encharged a Spaniard with a particular Indian population, from which he extracted tribute and labor service, supposedly in exchange for teaching the Indians the Christian religion. Initially, given a substantial supply of Indians who provided him with produce and labor, the Spanish encomenderos had little reason to alienate Indian lands. Traditional Indian forms of social organization were easily maintained.

However, as introduced diseases rapidly depopulated Native America, the Spaniard's status was threatened by a shrinking labor pool. Consequently, individuals slowly began to claim or simply grab the land occupied by Indians. Private ownership of land, rather than simply exploiting its resident labor force, was also consistent with the ideas carried along by the wars of independence. So the pattern cntinued, and by the mid–19th century, most of those who did not identify themselves as Indians had become private landholders. Several of the older, "whiter" families owned huge cattle raising estates. The majority of the

Ladinos were small holders whose plots provided them with basic subsistence and a few cash crops, principally indigo and other dyes such as cochineal.

By and large, Indians, who constituted about 43 percent of the population at the time of the war of independence, obtained their subsistence through communal use of tierras comunales (lands granted to Indian communities) or ejidos (lands granted to municipalities) previously granted by the Spanish crown. Use rights for such lands were accorded to each Indian family, and plots were worked through various forms of labor exchange.

The introduction of coffee production in the mid–19th century sharply altered patterns of land tenure and land use. As coffee prices rose, farmers who had produced small quantities of indigo and cochineal began to cultivate coffee plants. And they grasped for whatever land would allow them to expand such production. To accommodate the new planters, the Salvadoran government initiated a radical program of land reform designed to convert a landscape dominated by subsistence agriculture into one dedicated to cash crops, principally coffee. Indian communal land quickly became the focus of their attention.

By the mid–1870s, the Salvadoran government was openly encouraging municipalities to convert their communal ejido lands into privately owned plots. Several commuities experimented with new forms of land tenure, making use of ejido lands contingent upon the cultivation of coffee. Where they were successful, "those who cultivated such plants were rewarded by being made owners rather than users of their plot, thereby alienating land from common ownership." As a result, from 1879 to 1880, El Salvador passed a series of municipal decrees, most notably in the Department of Sonsonate, to encourage permanent planting of communal lands. In 1879, the Salvadoran government ordered a land survey to document and assess this conversion. The survey revealed that, despite government encouragement to plant coffee, one–quarter of the nation still lay in communal lands, particularly along the rich lower slopes in the Departments of Ahuachapan and Sonsonate.

To speed up the conversion of Indian land, President Zaldivar passed legislation in 1881 which permitted government expropriation of communal lands, calling them a "public entity of the worst sort, one in which land use pattern only stifles agricultural development." A year later,

the Salvadorean government passed the Ejido Extinction Laws which permitted municipalities to break up ejidos and sell the land at auction.

Indians, however, were reluctant to give up subsistence farming for the monocultivation of coffee. In departments such as Ahuachapan, one of the areas most affected by the law due to the large areas of communal land, the governor simply refused to implement the laws. Such intransigence did not halt the spread of coffee plantations. In many areas, the new legislation merely legitimized a pattern of land grabbing which was well underway. Since the mid–19th century, coffee plantation owners have been gradually whittling away at communal lands. With the loss of such land, Indian forms of labor exchange were no longer appropriate. Heads of households were either private property owners or worked for one.

In purely economic terms, the Ladinoization of the Indian community was completed when communal lands were converted to private ownership. But this change is not simly a transition, by the entire population, from one form of land tenure to another, equally viable system. Private ownership greatly reduced individual access to land; there were far more claimants than land. Most of the Indians who once worked communal plots to obtain subsistence later worked the same land to obtain wages from those who planted the coffee on plantations which they now regarded as their property.

For the Indian, the problem was even more serious than that of relative inequality. Theirefforts to maintin communal land stemmed, not from inherent conservatism, but from the fact that common lands provided essential reserves which guaranteed subsistence security for the entire community despite changes in local population and world markets. When this land was converted to coffee plantations, such security was eliminated. For the Indians of Ahuachapan and Sonsonate, it mattered little that they occasionally earned high wages if, at some time, basic subsistence was threatened. Their fears were not unwarranted. The security of a wage earning economy was put to a test, and failed, with the depression which followed 1929. Coffee prices, and along with them production, employment, and wages, dropped sharply during this period. Wages could not provide a living and communal lands were unavailable for subsistence farming. It should not have been surprising that Indian communities formed the core of the uprising of 1932.

Yet despite the gradual process of Ladinoization of Indian economic systems and the violent repression which forced the sudden disappearance of Indian forms of political organizationan other visible signs of Indianness (dress, language, etc.), the idea that El Salvador somehow eliminated its "Indian Problem" is fallacious. As late as 1957, Adams (1957:497) noted that distinct Indian form of religious organization, cofradias, persisted in a number of communities. These belief systems and the rituals which accompany them are not simply patterns of worship relegated to specific contexts and isolated from the every day world of politics and economics. They are cosmologies, concise and unique expressions of what the world is and what it should be. For Middle America in general, Wolf (1959:1) writes "the ancient prophets of this land spoke of five great periods of time, each destined to end in the disaster ... the fifth period of time is our own; it will come to an end when the world disintegrates in a cataclysmic earthquake." Perhaps it was more than coincidence that on the day that the revolt of 1932 erupted, so did the nearby volcano, Izalco. It sent a shudder and a blanket of ashes as far as Nicaraugua. Perhaps smothering and blurring the orders from

"Communist" leaders in San Salvador was the sound of shaking earth, and with it, the hope of re-creating a world which, for the Indians and certainly not because of them, had gone out of whack.

The Salvadoran Indians' own story, however, is still to be told. Despite efforts to deny the Indians' existence, Marroquin (1975:755) estimates that in 1940 there wereat least 375,000 Indians in El Salvador. Considering the complex history which blurs much of that nation's Indian identity, Morroquin writes that the Indians can best be distinguished as those who "have been beaten, have been turned off of their lands, have been humiliated, are discriminated against en masse, are oppressed and are exploited. In other words, like most Salvadorans, they are the poor and the disadvantaged. If one adds to this definition a persistent, but periodically submerged, sense of unique identity, the Indians of El Salvador stand out as a segment of society which has not and probably will not disappear, whatever happens there.

The military has been in control of the country since the revolt of 1932, although in 1961 and again in 1981 they have been forced to give the appearance that they share power with civilians.

Fifty years of military rule. El Salvador has the oldest continuous military dictatorship in the world. It is, however, a military dictatorship which is ideologically divided. There are today two factions within the military. Some of its members owe their allegiance to the Old El Salvador – the El Salvador of the coffee plantations and the oligarchy of the "14 families." Over the past20 years, some of the clonels have discovered new ways of getting rich through cooperation with foreign investors – investors based mostly in North America. Some have become millionaires.

The other faction seeks to maintain the power and prestige of the Old order, and is committed to the old methods of repression as well. The Old Order oligarchy has as its power base the landholdings and plantations. Not surprisingly, they are violently opposed to modernist objectives which appear to threaten to turn El Salvador into a modern resource colony of predominantly U.S. interests.

A key to this conflict is the issue of land reform. The Old Guard opposes it. The new technocrats, many of whom were educated in the U.S., favor some land reform as a way of politicaly disarming pro-revolutionary forces who seek to organize the peasants around this issue. The technocrats also support some land reform because this will hurt the Old Guard.

The man who heads the U.S. faction within the ruling class of El Salvador is Col. Jose Guillermo Garcia. His man on the ruling junta is Col. Jaime Abdul Gutierrez. In military terms, Garcia and his faction would like to conduct neat counter-insurgency campaigns against the opposition – create Vietnam-like "strategic hamlets," conduct "surgical strikes," and in general commit genocide under the Pentagon's idea of civilized rules.

The Old Guard, however, is something of an embarrassment to these objectives. They are, in a word, military terrorists. They wish to conduct counter-insurgency as their grandfathers did back in 1932. Their idea of how to handle the opposition has resulted in random slaughter: decapitated children, men with genitals stuffed in their mouths, raped and murdered nuns. The New Technocrats and the Old Guard would probably be involved in an open power struggle were they not unified by a common enemy: the poor of El Salvador.

Fifty years of military/colonial rule have produced many poor Salvadorians. El Salvador is a country approximately the size of New Jersey. It is the most densely populated country in the Western Hemisphere, with a per capita land area of .3 acres. And it is among the poorest. A wealthy 2% of the population owns 60% of all the arable land. Per capita income in 1978 was $705. The majority of the population receives only 1900 of the 3500 calories needed to sustain health.

An estimated 73% of the children suffer from malnutrition and half die before age six. Of El Salvador's population of nearly 5 million, 200,000 people outside San Salvador live in paper-and-cardboard huts, 53% have no water supply, 61% have no sanitation facilities. Land, the source of food, is denied to the people. 65% of the rural population is landless, and 35% of the people have no permanent homes. 60% of the existing farm units are under 2.8 acres, 90% are under 11 acres (15 acres is the estimated minimum for survival). Six families own land equal to 133,000 peasants' land.

Of the land that the 14 families control, little is used for food crops that could feed the people. Ninety percent of the large plots are used for pasture land to feed beef to export to the U.S.; the other 10%, the richest land, is used for coffee.

Presently, 50% of the population is employed seasonally, and 90% earns less than $100 per year. $528 is regarded as the minimum subsistence income.

MASSACRES AND DEATH SQUADS

The Salvadorian ruling class has embarked on a military campaign which has spread terror and death across the landscape. The armed forces treat the civilian population like an enemy in a full-scale warmotorized invasionsof rural areas, search-and-destroy missions, and the sackings of rural property are the most common manifestations of the rampant militarization of Salvadorean society. Between January and May of 1980, the armed forces engaged in 274 military invasions of peasant areas.

On May 14, 1980, Salvadorian troops began a "cleaning operation" in an area which they believed was occupied by guerrillas. The area was Las Arodas, a makeshift settlement of cardboard shanties and mud huts where 1500 refugees had gathered after fleeing search- and-destroy missions of the Salvadorean National Guard. At about 10 a.m., gunfire began to rain down on the encampment. "The bullets came in fistfuls. They went through the walls of houses, people were falling and cattle were dying. The bullets were everywhere," a survivor told TIMES journalist David Blundy. The settlement was surrounded; the only escape was across the Sampul River, along which the little village sat.

"We ran into the river in flocks. Children were drowning. The Salvadorean soldiers stood on the bank and fired at us. My two friends were killed next to me," explained Genaro Guardado, a survivor.

Orden, the paramilitary organization distinctive in black shirts with Skull- and-crossbones insignia, joined the army in the offensive. "Some soldiers and Orden people gathered children and babies together," Rosabel Sibrion, another survivor, said. "I saw them throw children into the air and then slash them with long machetes. They cut their heads off and slit their bodies in two."

On the other side of the river, the Honduran army pushed those who made it across back into the river. "We pleaded with them. Begged them. They just pushed us. They didn't fire their rifles, but they wouldn't let us through."

An estimated 1450 people were massacred on the Honduran border in late March or early April of this year. According to published accounts which appeared in EL DIA and EXCELSIOR (Mexico City) these 1450 refugees, pursued by Salvadorean security forces and pushed back by Honduran troops, retreated into a cavern known as Cueva La Sentada which is located between the cities of Huaricila and St. Helena in Salvadorian teritory. The Salvadorian army, with the help of Honduran soldiers, blasted the entrance to the cavern. The work was aided by Air Force bombardment of the site according to testimony of eyewitnesses.

While firing shots and smoke grenades into the cave the soldiers gunned down those who tried to escape the onslaught while helicopters circled above and fired on the refugees. The helicopters were rumored to be Huey helicopter gunships leased by the Salvadorian government from the United States. Those entrapped in the cavern died of suffocation.

Assasination, torture, mutilation, kidnappings and disappearances at the hands of the Death Squads are facts of life in El Salvador. Death lists are published in newspapers and carried out by right-wing paramilitary groups like Orden. Amnesty International estimated 6,000 people were killed by military forces in 1980, either by uniformed military men or the paramilitary groups. The Death Squad is believed to be moonlighting police and army men. Casualties on the left are higher than on the right by a factor of 30 to 1. 1.

In March of 1980, Catholic Archbishop Oscar Romero was assasinated while he conducted mass. His crime was that he publicly denounced the poverty and the violence directed against the masses, and he asked President Carter to stop sending military aid to the ruling junta. Although horribly mutilated bodies are found on the streets of Salvadorean cities daily, the murder of an Archbishop drew international attention to the brutal conditions under El Salvadador's military rule. Later that year, the Salvadorean Human Rights Commission was bombed. Eyewitnesses stated that the bodies of three young men were found inside, each bearing marks of torture. Magdalena Henriquez and Ramon Vallideros, members of the Commission, were both murdered in separate incidents in early October. Other attorneys with the Commission have gone into hiding or are in exile.

Foreign journalists haven't escaped the slaughter, which may help explain why news is sketchy and often carefully worded to avoid reprisal. Rene Tamsen, a correspondent for Washington WHUR, disappeared in April, 1980. Ignacia Tenazas, a Mexican journalist, was murdered in July, 1980.

"The aligarchy that ruled this country for 50 years developed some very sophisticated attitudes about media," says Carl Hirsch, a U.S. contract-camera-man for ABC." They have a Betamax system and a clipping service in Miami that goes through every U.S. report on El Salvador."

On the afternoon of July 11, 1980, two reporters from the opposition paper La Cronica, considered to be the most honest and accruate paper in the country, were abducted from a downtown San Salvador restaurant by four gunmen. "They were

tortured for six hours before they were killed," says Harry Mattison, a TIME photographer and friend of the dead men. "They chopped them up with machetes, butchered them really. It was a very sick act."

THE Reagan Administration as accomplice.

The Reagan Administration position on El Salvador is:

An honest reform-minded, middle of the road and basically popular government led by Christian Democarat Jon Napoleon Durante is under siege from left and right. The left is by far the main danger, amounting to a Communist Conspiracy to grab power, manipulated from afar by the Soviet Union with help from Cuba and Nicaraugua.

To support this government, Reagan has asked for $60 million this year and $100 milljon for next year. In March (1981) 15 Green Berets were sent to "train the Salvadorean army in counter-insingency techniques."

Shortly after entering office, the Reagan administration increased military aid by $25 million; it has stationed 56 advisors with the Salvadorean armed forces, including 15 Green Berets; it has leased 10 Huey hilicopters to the junta, while pumping in vast amounts of economic aid. The Fiscal Year 1982 Security Assistance Act proposes a $66 million dollar package in military sales credits, economic support funds, and military training funds. In addition to outfitting and training Salvadorean soldiers, the U.S. government is heavily equipping and training the armies of the right-wing military governments of Guatemala and Honduras as potential forces to prop up the Salvadorean junta and to repress liberation movements in their own countries.

The Green Berets were created by John Kennedy at the beginning of serious intervention in Vietnam. Comprised only of officers and NCOs, it became the Armed Forces of the CIA in Vietnam.

"The situation in El Salvador isn't like Vietnam at all. The people in El Salvador speak Spanish."

"Although tens of thousands of words have been published reporting the war in El Salvador, there has been no mention, even by the Left, of the country's estimated 200,000 Indians, the poorest and most oppressed people of this tortured land.

U.S. military aid plans to El Salvador suffered a setback in December when public outrage was voiced at the rapes and murders of 3 American Maryknoll nuns and a layworker. But those plans were only delayed. The Reagan Administration is moving ahead in the same policy which has characterized America's history in Latin America.

Ronald Reagan and his State Department head, Gen. Alexander Haig, have declared that the revolution in that country is a "textbook case of communist subversion."

The U.S. Congressional Record of June 23, 1969 contains a document entitled, "Use of U.S. Armed Forces in Foreign Countries" that was submitted by the late Sen Dirksen (R.-Ill). This document, which contains a detailed list of 150 separate invasions by the U.S. into other countries, was intended to sanctify any such actions in the future by demonstrating precedent and long tradition.

The list, which includes only those actions not authorized by Congress, does not include the Spanish-American War, the First or Second World Wars. Nor the hundreds of wars of extermination conducted against the sovereign Native nations.

During the 30-year span from 1898 to 1928 there were 55 U.S. invasions abroad occurring on the average once every 6 1/2 months. These included five separate landings of a total of over 12,000 troops in the Soviet Union between 1918 and 1922.

In 1891, in Haiti, the U.S. Marines landed, "...to protect American lives and property when Negro laborers got out of control"; in 1920 in Guatemala Marines landed "...to protect American interests...during a period of fighting between unionists and the government of Guatemala."

Among 43 invasions of Central American nations, the Congressional Record states, that in Nicaragua in 1926, "the coup d'etat aroused revolutionary activities leading to the landing of American Marines...U.S. forces came and went, but seemed not to have left the country entirely until 1933. Their work included activity against the outlaw leader Sandino.."

Augusto Cesar Sandino, a farmer and mining engineer, refused to accept an election plan imposed by the Marines and retreated with a group of Nicaraguan patriots to the mountain town of El Ocatal. Marine Brigadier General Logan Feland ordered the town bombed and strafed. Although Sandino managed to escape, 300 people were killed in the attack.

This bombing of the civilian population, pre-dating by several years the Nazi bombing raids in Spain which shocked the world, won General Feland a decoration for "heroism."

In 1954, to reverse an agrarian reform that had been instituted by the duly-elected government of Guatemala, the CIA mounted an invasion which overthrew the government and began a reign of terror against the population that continues to this day. Conveniently, Allen dulles, then director of the CIA, had also been on the board of directors of the United Fruit Company, some of whose lands had been expropriated.

In April, 1961, President Kennedy stated, "There will not be, under any conditions, any intervention in Cuba by United States armed forces." Four days later, the U.S. launched the Bay of Pigs invasion of Cuba.

The countless cases of U.S. military "police actions" in Korea, in Lebanon in 1958, and in VietNam; of CIA-installed and trained governments such as that of the shah of Iran and Pinochet in Chile; and the murder of Patrice Lumumba in the Congo and so many others proves undeniably that the current U.S. policy of military support for the government of El . Salvador, which is hated by the people but friendly to U.S. business, is indeed a "textbook case."

Out of tens of thousands of words reporting the carnage in El Salvador, there has been no mention, even by the Left, of the country's estimated 200,000 Indians who are the poorest and most oppressed of this tortured land. References to El Salvador's Indians are most readily found in books about the crafts of El Salvador.

The conflicts in El Salvador are many and complex, and yet they are familiar and easily understood. The mendocity of the U.S. government is monumental. An evil and corrupt regime has impoverished its people and is killing those who resist, and it has as a partner and evil and corrupt U.S. government. Meanwhile, the efforts to destroy the movement has failed and the liberation forces are growing stronger. Unity, solidarity, and struggle offer the only hope of raising the veil of oppression that has dominated Salvadorean life since the beginning of the modern era.

The people of El Salvador need your help in the form of fund-raising, education projects in the cities, political support. For information in how you can help. Contact:

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IN THE INDIAN COUNTRY

1

Summer, 1976. In the highlands of Guatemala, in an Indian village, the corn was high. There were many huts and small houses and everything was green. A calming, soft summer breeze made the cornstalks sway. The corn surrounded every house. From a hill nearby, you could see the rooftops buried in the tall corn.

There were men and women walking. Some led pack animals, loaded with wood. The children trailed behind, sticks in hand, swishing the hind legs of the pack animals, sometimes throwing small stones instead. You could see them moving in and out of the corn, heads and arms moving steadily, now and then a laugh, here and there a baby wrapped at a mothers' back, moving.

On the hillside several men were sitting. One young man had gathered small wood and was attempting to light it. The older men--five of them--were sitting. There was a trail that led up to the spot where they were gathered. Other men, some women and several children were climbing it.

"Here he comes," said one of the sitting men.

One of the climbers was dressed differently. Many of the Guatemalan Indian villages have their own customary dress, distinct from other villages. In this village of the highlands the men wore long striped shirts and over the long pants a second black loin cover. All the men but one wore this type of clothes. The women, too, had their own distinctive clothing that they wore.

Now, they reached the spot on the hill where the men were waiting.

"Buenos dias," said one.

"Buenos dias," came the answer. There were handshakes all around--Indian handshakes, the fingers barely touching, a light rasping of the hands, accompanied by a nod.

One of the local men, whom I will call Francisco now spoke.

"Brothers," he said. "This man with us is Don Nicolas. He is a guest in my house. I asked you to meet here so that you could hear his words. He is a brother from the Cakchiquel country--where there are many of the same problems that we have here."

Everyone looked toward Don Nicolas. As I write now, I remember him, too. In my mind's eye I look upon him. Times have changed for the worse. The latest word we have on him is that he has gone into exile, that his family has endured much direct persecution. I remember Don Nicolas. That day in that village of the highlands he sat on a small mound of earth. He was dressed different from the rest, in the manner of his own people. His pants only came to just below his knees, the colors of his shirt were different, and he wore a cloth wrapped around his head. Yet, one did not have to look at his dress to single him out. His face could do that for you. He had a very lively face, intelligent, alert eyes, a wiry frame, exuding a vitality that was almost palpable. Then, too, he was an openly friendly man.

"Brothers," he said, when finally the settling silence had coalesced the group. "I was asked to speak here, and since I don't know you very well, I am going to hope that you are all strong, serious men and that you will know for me that there are no "orejas" present."

The men smiled and looked at one another. "Oreja"--the Spanish word for ear, was the common way to describe the government's paid agents in Guatemala--the informers.

"Brother," one old man said, touching one ear. "These ones that you see here are the only orejas here--I think I speak for all the men that they will be used for their proper function--that is to hear--not to repeat your words."

All the men nodded. Another man, younger, said to Don Nicolas: "Completely, you have our confidence."

"Brothers," Don Nicolas said then. "I am an Indian, just as you are. I am a poor man, a shoemaker by trade. I am from the region of the Quiche. As a young man I married a Cakchiquel woman and live in their region now. I wish I could speak to you about good things now. You are a hospitable people, you have treated me well. It is good to be pleased in such a way, and then to speak of the good times."

He stopped a minute. Then, more slowly. "It is not possible. We are Indians, brothers, and we know that our lives are hard."

Don Nicolas--I remember him. Looking sideways now, a cactus of whiskers at the tips of his lips, looking to the faces of the seated men, his manner easy, as if he had known them all his life. This was in 1976, on a warm afternoon of summer, in a highland Indian village. The sequence of his talk is important; the fact that it took place is important. I will try to be faithful to it--even if my memory falters, because it is reflective of a whole mentality that was present in the Mayan country after the earthquake of 1976--a mentality that many journalists these days are "discovering" with a kind of surprise.

2

Lately, some North American journalists have "discovered" the fact that Indians in Guatemala have a fighting spirit and have expressed surprise. Even the progressive or left press has been all-too-surprised by the fact of Indian resistance.

Well, for once, we are not surprised--not by the fact of Indian resistance, nor by the surprise expressed by the North American press. The Western press has always reported on Indian situations only sporadically, and then without any kind of understanding, depth or passion.

While Alexander Haig and Ronald Reagan give press conferences which are automatically covered by the major news media in North America--press conferences in which they warn against the "communist terrorists" who would destroy the U.S. allied dictatorships in Central America--the REAL war of total repression against civilian Indian, peasant and worker populations goes largely ignored.

Yet, the reports that do filter out almost daily offer overwhelmingly undeniable evidence of assasinations, massacres and tortures carried out as part of official government programs.

It is going on--an all-out war of repression.

For the Mayan populations, it has been going on a long, long time, representing a deeper kind of war--cultural, social, economic, military, spiritual--a long, continuous war, historically documentable.

In Guatemala, specifically, the resistance to this situation by Indian Peoples is increasing--and armed defense of whole regions has become a necessity. There are several regional wars going on, different guerrilla fronts, many armed bands.

The Central Guatemalan government is run by generals and businessmen from about 380 families who pretend to own 90% of the land They are the rich of Guatemala. Their main export market, capital resource and military ally is the United States of America.

The poor people--the landless of the city, the workers in the mines, the Indians carted off from the highlands to the plantations of the coast--live and die on a totally different economy.

The rich (to some people--the right wing) are trying to control the country, taking more and more from the poor people in the process, and protecting themselves by organizing an extensive and well-armed

"terror" apparatus. Death squads, torture chambers, army patrols, massacres and concentration camps are increasing. A U.S.--financed helicopter/refugee center/'search-and-destroy war--what the Americans like to call COUNTER-INSURGENCY CAMPAIGNS (a la Vietnam) is being set up.

The rich and the poor are very different in Guatemala. The poor are the many, about 90% of the population. All the Indians (some 4 million people) are poor, as are most ladinos, blacks, mestizos and whites. There are 22 Indian languages spoken in Guatemala, four major nations--Mam, Quiche,Kekchi and Cakchiquel--Mayan Peoples. They live mostly in the highlands, crowded, and barely surviving on tiny parcels of land, while their abundant ancestral lands are given over to American-financed cotton, banana and coffee plantations.

The Indian Peoples of Central America--Guatemala, Salvador and Honduras most profoundly--are undergoing furious and systematic military repression. Whole regions are occuppied by military perosnnel. Land thefts, assasinations, rapes and massacres are documentable weekly occurrences.

Now, in Guatemala, in response to the latest wave of repression there are sizeable People's military units made up largely of Mayan Indians. The Indian guerrillas are organizing into an army with which to protect their villages and their peoples.

3

Now I remember Don Nicolas talking--back in the summer of 1976, to a group of Indian People. It was the kind of meeting that occurs in many Indian communities--quickly organized, a few family heads coming together to discuss problems, to hear new ideas about common concerns.

A group of NOTES People were in Guatemala for several weeks that summer, travelling from village to village, talking to Indians. We saw many meetings take place this way--we heard the Indian thinking first-hand. It wasn't hard to find--all one had to do was talk to Indians, take the time and express solidarity.

"I am travelling north," Don Nicolas said to the group. "We are on the way to Mexico. One of the men in our party had relatives here and we came to spend the night. This morning, after breakfast, we talked. I was told then of these troubles you, my brothers are having with a gringo.

"They tell me this gringo has taken over a portion of your communal land?"

One of the men nodded his head vigorously. A woman who had been standing off came closer, head tilted slightly, her ear coming into view.

"Yes," the young man said. "Much, much problem."

"They tell me he has a company, too, and a friendship with the governor of the department," Don Nicolas went on.

"He brought the police out on us," the young man said. Then, nodding to the women--"They threw rocks at the soldiers."

"This I heard," Don Nicolas said, looking at the women, and making a funny, ferocious face.

The women laughed, softly at first, then coming closer, more out loud.

"But the men were ready too," said another one. She was the oldest, maybe in her forties.

"Come closer, sisters, sit down," Don Nicolas said.

There was a silence. Don Nicolas waited. Then the man who had introduced him spoke again.

"My maestro," he said. "Of this problem with the gringo here there is a lot to tell. And we know also about further north, well, most of our region, there is problems for us Indians. But this morning you told me of the Cakchiquel country, of your pueblo. The brothers here--I think if they could also hear what you told me, about that time the soldiers came there."

Don Nicolas nodded. He pondered at the ground a moment, then looked up.

"In our pueblo," he began, "we have many of the same problems you have told me about here. Of course, you know, my brothers, like yourselves we don't have much land. Every year we lose much and every year we have more people. So, the older men, we are watchful for our land. We speak with the people there. They agree with us. We have many without homes, wandering, very miserable. We have done what we can to feed ourselves...but since the earthquake it is impossible.

"Well, the older ones--we watch out as much as we can. But, still, it is hard. Now, a year ago some people came out of Guatemala (he meant to say Guatemala City. Many Indians still conceive of Guatemala City as simply Guatemala). They came to talk to our mayor.

"Our mayor is Indian, but confused, and they pressured him to sell the title to a large parcel of our communal land. Well, he began to comply. He began to set up this transfer of title. We found out because he had remorse and he came to talk to us.

"Brothers, it was much the same as what I have heard here. It is about our land, about our food--what we are determined to do to protect ourselves.

"Well," he said, looking to the women. "It went like this with the mayor and the businessmen, back and forth, almost a year. It turned out the Catholic church priest there--he is an old one--he got involved, calling us names--he said we were like old mules who don't know why we do what we do. We had meetings. Even some Indian lawyers that took up our case. Our mayor, he began to work for us, too. Then he received threats--then he would change his mind. Like that it went--back and forth. One week, everyone would promise--there will be no sale. But then, a few days later, there would be the engineers coming to our pueblo. In the outlying fields, they would take surveys, to mark off the land. We objected. Once, twice, three times, a big group went out and chased them away.

"Things got hard then. They paid some of our own people--orejas. Our own people spying on us...Then we found out that one of the buyers was a military man--an army colonel. Then that he was tied in with the rich catholic families. Well, many of our own families--we met. Like this we met--in small groups, where we were certain of our people. A military man, you all know, that means trouble. But the people continued to protest, pressuring against this sale. It was during this time that our sajorines (medicine people) started to come out more. Some of our ceremonies--as you also have them--for the corn and the animals, our own marriages--the people began to turn more toward our own ways..They stopped listening to the priest.The buyers came back one more time and we threw them out. Then, two months ago, the army came out..."

Now I sit back and see Don Nicolas...talking, but now he is in his own small house, in his own pueblo, one time when he told the same story. There were other men and women there that time--ones who had also lived it.

It had happened 2 weeks before our arrival as a relief group after the 1976 earthquake. A big confrontation had taken

place between the Guatemalan Army and Cakchiquel Indians.

We were to hear this story over and over, from different people, different personal accounts. We were to hear it many times over, in other villages, in other regions. It was one story and it was many stories. It was a feeling that was happening--a resurgence.

In the capital city of Guatemala you could often see the small delegations of Indians from the many different regions. At that time they could still visit some of the representatives in the Congress, once in a while even meet with an official from some ministry or another. The delegations would bring a variety of stories--land thefts, ill-treatment at the hands of the military, malnutrition, hunger, disease. They stayed where they could and they ate what they could and they told their stories, over and over (and with dignity)--but never to any avail. It was always that the few that would listen could do nothing about it--and the repression--the incidents of dissapearances, the assassinations, the kidnappings, the grim silence of the returning "torturados" (tortured ones)--it all continued to intensify.

Now this happened:

In Don Nicolas' pueblo one day several cars full of state security men came in. It was in the last dark of the morning, a warm day. Two kilometers away, around the bend of a mountain, three large trucks full of army troops were stopped, waiting. The security men pulled up to a house and jumped out. They had guns. Soon, they were spread out and surrounding the house.

A man was arrested. His name was Don Chus. They hand-cuffed him quickly and tried to get him in a car, but his wife was screaming, screaming (he too had yelled: "Chicken thieves!") and the people had begun to gather.

"By the time I arrived," Don Nicolas said. "They had him in the car. There were eight security men, with pistols out.

"I stood back and yelled at them: °Where does he go?°

"They didn't answer. They hesitated, looking to me. And the people continued to gather."

Within minutes the word spread. The narrow, dirt roads filled up with Cakchiquel Indians. Some men had brought machetes and knives. Others were coming with rifles and shotguns. The state security men, guns drawn and cocked, the crowd constantly around them, withdrew to the pueblo°s plaza,to the major's office. The day was breaking as they secured the doors (four men outside; four inside) and then the crowd opened wide, falling out and some drifting away as the three army trucks pulled up.

A long day. I remember the faces.

Don Chus--the man arrested. A portly, middle-aged man with the face and teeth of a horse--always a wide smile. He was a thinker, Don Chus,and a tinkerer, a natural leader. He carried an old, black box

camera around and he liked to make the women run by pretending to snap their pictures. He devoted much thought to the children--the values they would grow with, the manner of their schooling.

"Our Indian children," he said to me one time--"The school takes them and teaches them to go away to the city. They teach them to despise the work of the fields. They are made into ladinos, in their minds, but there is no place for them. They are not ladinos to go to the city and get lost. A man can not do decent work there. One can only steal or beg. No...but then in the school, too, they turn against our way of being and become agitated, not knowing if they should stay or go--always looking for something. They are left in the middle of the air--reaching for the flying trapeze."

Don Chus--back in 1976, he talked of starting a cultural center where the Cakchiquels would have their own school. Later, he did start an Indian Way school. It was Don Chus, too, who several years before had initiated the custom in the pueblo of holding a rally on every October 12th...to observe a "Day of Mourning" for the Indian race.

Other faces appear too. Yolanda...a plump, pleasant face, wired-rim glasses, long, colorfull traditional dress, sandalled feet walking like a dotted line down the narrow dirt path. A young woman of spirit, quietly and respecfully but consistently alert to remind her people of correct manners--gracious. Yolanda--I remember her on a bus one time, going down a mountain road to a gathering of Indians--a semi-clandestine meeting with two hundred delegates, much debate about Indian political problems, Indian-based ideologies of liberation. The bus was full and everyone was singing. Yolanda led the singing, a voice like honey,the kind of voice that can draw tears. It was a simple song, lilting. It said: "Man of the land, natural, lift up your forehead, you are also a human being, don't be humbled again." It said: "Through your hands, the food is all filtered, the food is all filtered, that all of us eat..."

There was Gabino--a barefoot young man from another village, poor as dirt--and one of the most effective organizers I've ever met. Gabino was bright-eyed, middle sized and thin. He had taught himself to read and write and he was as smart as he was kind. He spoke quietly, always, and mostly in a humorous vein. "One day we will fight very hard," he told me one time, "and all that land of the plantations will belong to the people. Then we will have one, last banana harvest, sent it all to the North Americans and return the land to the corn." He had a bag over his shoulder and reached into it, pulled out a banana. "Here, have a banana," he smiled, "while they last."

There was the pueblo itself, and the mountains surrounding it. It all has a face, a green face in the spring of the year and the winding dirt roads that circled into the open plaza--on Sundays full of people--Cakchiquel faces--men and women and children carrying food and pots to sell and at the open water faucets, here and there, the women washing and braiding their long, wet, black hair, talking.

A long day. I remember the words. Once they got to know you it was one of those incidents the people liked to talk about--a collective remembrance.

There were many soldiers--about sixty of them. They had automatic rifles in hand, jumping out of the trucks, surrounding the municipal building, where Don Chus was being held.

Don Nicolas: "The people continued to gather. Soon, the plaza was full and there were groups on the hillsides, looking down. Ourselves, we were certain that if Don Chus was taken from us, we would never see him alive again. Several of us talked to the people, calling on them to continue to stay, to send word out for more and more people. This we did quietly at first but then, as the crowd grew we became more bold. Finally, someone brought me a chair and I began to speak out loud, calling for the return of our brother..."

Yolanda: "Ay, I was so scared for him, when he did that. He spoke out loud like that and with the soldiers watching him. Then, for a while he got the people shouting, RELEASE DON CHUS, RELEASE DON CHUS!' Myself, I was watching the soldiers, the way they held their weapons. They were young men--some of them Indians, like ourselves. I was watching when their officer--a lieutenant--came out and pointed at Don Nicolas, whispering to one of his men..." Don Nicolas: "Four of them headed for me. I didn't see them at first until they were almost upon me, but already Gabino and his men had made a circle.

"Remember?"

Around the room in Don Nicolas' small house, everyone nodded. Gabino was there

during the telling and he looked shyly at the dirt floor.

"The soldiers wanted me," Don Nicolas said. "They were almost on me and Gabino stepped out, facing them."

"He will be my hero forever," Yolanda said. "He faced the head soldier, looking him straight in the eye..."

"He was an Indian," Gabino finally looked up, his young man's face flushing red. "I don't know what came over me. He said: 'I want to arrest that man, pointing at Don Nicolas... and like that he put his rifle looking up..."

Gabino grabbed the soldier's rifle. It is said that when Gabino did that the whole crowd gasped. Gabino was thin but wiry--strong. He yanked the rifle from the soldier's hands and held it up for all to see.

"We don't want more guns!" he shouted to the plaza. "We don't need more guns here!"

The crowd shouted back: "OUT WITH THE GUNS! OUT WITH THE GUNS!"

The soldier made a grab for his rifle and Gabino pushed him back. The crowd began to press in, shouting: "NO! NO!"

Then Gabino unloaded the weapon. He took the handful of bullets and threw them. Then he smashed the butt of the rifle on a large rock.

Yolanda: "We all went crazy. The whole world shouting and then more soldiers jumped out, about 12 of them and one fired a shot into the air. Then I saw our men take Don Nicolas and Gabino and the people made a big wall, many people pressing, holding up the soldiers, as the two of them were hurried away."

Don Nicolas: "We came right here. All the way across the plaza and two long blocks away and all of it crowded with our people. Looking out this window, you could see the people all around the house. There were hundreds. The soldiers couldn't get near. From the hillside behind the municipal building, some of our men discharged a shotgun twice--just to let them know, and many people--including some women--held up knives and machetes and even sticks..."

Yolanda: "The most soldiers they could mobilize for the house were about twenty and they kept trying to go through the people but without result. The people pushed them back and even kicked at them. Then it was like a feeling came over us. The whole crowd--we began to push these soldiers back, push them back all the way to the municipal building. And they started to back away and Don Nicolas and Gabino came out again."

Don Nicolas: "I saw it happening from this window. So we went out and I thought: They are not going to leave here with Don Chus. So we backed them all the way to the plaza again and just as I arrived again, there was the lieutenant and they had Don Chus outside."

Don Chus: "Oh, my brothers, it was for me a dark moment. Inside, the lieutenant kept shouting at me. His face was red as a basket full of our chile. 'I am going to kill you!' he shouted at me. 'YOU ARE DEAD ALREADY!'"

"Well, what could I say?

DEFENDING THEIR PEOPLE, THE INDIAN MEN OF CENTRAL AMERICA HAVE TAKEN TO ARMING THEMSELVES ... TO PROTECT THEIR WAY OF LIFE,

TO SURVIVE, TO PROSPER ... A SIMPLE WAY OF LIFE ... NATURAL ... CLOSE TO THE EARTH ... NOW ... UNDER EXTREME REPRESSION

"Then he started to swear. 'Sons of the great whore! he shouted, over and over..."

Now Don Chus' face broke into a wide smile.

"So, then he grabs my hair and pulls me up. He has his pistol out and puts the barrel in my mouth. 'Indio e mierda!' he says, 'Eat this!'

"I remember the barrel of the gun was very cold, almost like a popsicle..."

Outside, the soldiers made a line for the trucks and the security cars. The drivers got in and the soldiers tried to clear a path. The soldiers clubbed and jabbed at the crowd with their rifles, pushing them back. "Go away!" the people shouted. "Go away!"

Don Nicolas: "They had ten men surrounding Don Chus--and they were beginning to load into the trucks. They were walking Don Chus to a waiting car. They were making there way slowly. Some soldiers were already in the trucks , pointing their rifles. I hesitated, because on the one hand, I didn't want them to take Don Chus, but on the other side I didn't want to see anyone killed. Well, Yolanda didn't hesitate..."

Gabino: "And for that she is my hero."

Yolanda: "Well, just as Gabino, I don't know what came over me. But suddenly I felt bigger than everyone and my own skirts felt as big as curtains at a theater and everything seemed to sort of freeze in front of me, like waiting for me.

"I had my sister and two other companeras with me. I said to them: 'Let's go!' and the four of us broke through the people right to where they were walking Don Chus...I remember I said: 'Uncle--come home with us, you must be tired.'

"The other girls, they repeated my words, but to the soldiers...'He is tired.' they kept saying. 'He should come home with us.'"

Don Chus: "I can say that one could feel their power at that moment. I turned and say goodbye to the soldiers. I felt like I had just gotten off a bus -- something simple like that ..."

The soldiers had opened ranks and Don Chus walked into the women. He still had the hand-cuffs on--but he didn't bother to look back.

"We made him get lost right away. It was quick. Then the soldiers moved out," Don Nicolas said. "The two cars and the three trucks and all their guns. The people shouted at them and just as they rounded the corner to go up the hill to leave,

someone threw a big homemade fire-cracker at them. You should have seen it. The little bomb exploded in the ditch and then one of the trucks backfired...We all jumped to the ground..."

Don Nicolas laughed.

I remember him laughing...a good, strong laugh that trailed off into a knowing, thoughtful grin.

4

But that was five years ago--and things in Guatemala have changed. The Indian resistance hasn't changed so much; it is the intensity of the repression that is different. Now the soldiers move en-mass and every day newer and better weapons arrive for them to use. Helicopters, napalm, large caliber machine guns, tanks and specially-trained units strike at the Indian villages now.

The new units--or Counter-Insurgency Teams--are trained with United States dollars, using American-made weapons. There is evidence of American and Israeli military personel conducting training in torture and interrogation techniques. And everyday word reaches us of friends kidnapped and assasinated, of whole villages bombed out of existance, of horrible suffering. The war, of course, is not only in Guatemala. Salvador, Honduras, parts of Costa Rica and Panama, parts of Mexico are all undergoing an in-tensification of military activity. It has become so that to be an Indian is to be identified as a possible guerrilla--to have participated in work cooperatives, to have ever challenged any figure in authority, to have ever spoken out for justice--is justification enough for a midnight (or more recently in full daylight) visit by one of the many government-operated Death Squads.

There is now insurmountable evidence (via research conducted by Amnesty International) that the central co-ordinating office of the terror campaigns is located right in the offices of the President--currently the general, Romeo Lucas Garcia--a close friend of the Reagan administration.

North-American corporations are big investors in Guatemala. They virtually control the economy, in partnership with the high military and business families there. At this time in history it is they who are defining, particularly for the American people, what a "terrorist" is. That the North-American media routinely carries their definition as the "truth" is not only shamefull, but is downright criminal. This incident we have written here and these people we have described--they are representative of the Indian reality of Guatemala because they are real. There is much more, a whole lot more.

In Don Nicolas' pueblo, the story does not have a happy ending. Early this year, the military came back. A school for Cakchiquel children that Don Chus had started was closed down, and Don Chus had to go into exile, persecuted for the simple "crime" of helping his own people. Gabino was later elected mayor, almost unanimously. As this issue goes to press we have recieved word that a Death Squad recently came into the pueblo, grabbed Gabino and one young assistant, took them to the middle of the plaza and shot them to death--an example, they announced, against further "terrorism." We heard also that Don Chus, upon hearing that one of his sons had been arrested, went back into the country, was arrested, tortured and also killed. The whole region is under a military state of siege, with troops constantly coming and going in American-supplied helicopters. Don Nicolas himself, as was stated earlier, has gone into exile

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On the hill, in the village of the highlands, the sun was beginning to set and Don Nicolas was talking.

"We fought them back that time, over in our pueblo, brothers," he was saying. "But you must be careful. Be patient in your fight here. Re-build your people slowly. This gringo you have told me about--maybe in time, he will turn out to be your greatest ally.

"That the people should get angry, wake up and begin to struggle together. Like the Pop Wuh says, my brothers--no one left behind, let no one fall behind in the steps that we take.

"There will come a time that you will deal with this gringo--but whatever happens, keep meeting, get strong in your Indian ways and organize yourselves. You men, each one, take on your tasks forcefully, with full intention. You women--don't gossip. Keep your minds clean, raise your children strong.

"Don't believe any of this talk about communists. We are not communists. We want our own culture to flourish, to build our own schools, to have our own land.

"Anyway, we have always had our communal lands; we work like that, together. Communal--that's what we are. So if that's what they mean by communists--well, that is their word, not ours.

"Don't forget, brothers, if this of the communists is true, then Jesus Christ is the first communist. In the Bible, even, it is that he shared with the poor and did not like the rich--and the military killed him for that...so..."

The people laughed softly at this, reflecting, nodding. It was dark now, and the young man had a fire going. The fire glowed and sparked.

"Beyond tomorrow, there are many futures, " I remember Don Nicolas' final words that night. "But one thing is certain. If we don't do it for ourselves and more and more--we won't have anything left. Everyday, it gets worse for us. But, brothers, I have seen Honduras and they tell me the south of Mexico is the same--The Maya--as we all are--you Mam, Cakchiquel, Quiche's--all of us are relatives. North and South, we are all relatives. The Mayan Civilization, brothers, it is in our minds still. We are an intelligent, capable people. And we are naturales--we are not corrupt. We don't betray our family feeling for money. This is what makes us strong.

"Brothers: After the earthquake, I went to Guatemala. I saw their big edifices--like big boxes, tied together with wire, big cracks on the walls. Later, I went to Tikal, our oldest temple. All around it, the houses of the professors had fallen, cracked--but Tikal itself, not a crack--it was still untouched.

--Ismaelillo

CHIMALTENANGO: A STATE OF SIEGE

The Guatemalan army's most recent counter-insurgency campaign against the largely indigenous rural population of the country began in El Quiche in 1975 and spread to the predominantly Cakchiquel villages in the department of Chimal-tenango at the end of 1980. Chimaltenango is now under military siege. The army has established a torture facility in the department, and it is now moving from one community to the next employing terror tactics to control the population. Although some news coverage has focused on recent massacres in San Juan Comalapa and San Martin Jilotepeque, it is surprising how little people in the United Sttes understand this pattern of terror and violence. This is particularly shocking given the large amount of North American aid that flowed into Chimaltenango after the earthquake in 1976 and the current United States government support of the Guatemalan military regime.

The Guatemalan army has practiced terrorism for years, but recently its methods have become more sophisticated. The pattern in Chimaltenango begins with a few soldiers stopping buses headed to the targeted villages. The soldiers stop each bus, pull certain people off, and then take them away. The corpses of these people

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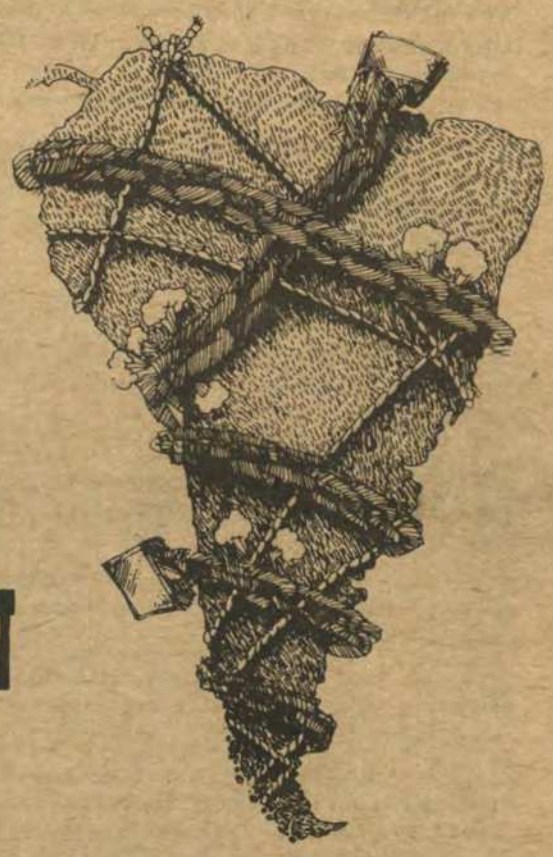
OF MENTAL COLONIZATION IN SOUTH AMERICA



INTERVIEW WITH NILO CAYUQUEO -- INDIAN COUNCIL OF SOUTH AMERICA

Nilo Cayuqueo, a Mapuche from Agentina, is one of the coordinators of CISA (Consejo Indio de Sud America). CISA is a communications center headquartered in Lima, Peru. It reports on and for Native Peoples from ten South American countries.

While Indian peoples are a minority in North America, in Central and South America Native Nations form a huge segment of the population. In certain countries, such as Bolivia (Kollasuyo), Peru, and Guatemala, indigenous peoples make up the majority of the population. The situation in these countries is much like the 'Wild West' a hundred years ago -- atrocities against Indians are commonplace.

In fighting for freedom, Indian people are drawing on the traditions of their societies. They are promoting Native collectivism as one means of achieving liberation; rather than "importing ideologies" such as Marxism. They claim that the cultural and ideological narrowness of some South American Marxists has hampered relations between the two progressive forces. Instead of accepting diversity in an anti-capitalist movement, some Marxists have pressured Indians to conform to their standards. The Native Nations are reclaiming their Indian identity, which is based on more than skin color or dances -- it means building an already classless culture in harmony with nature. It is a situation that North American socialists can perhaps learn from.

Nilo was interviewed by Zoltan Grossman, a Wisconsin writer, for AKWESASNE NOTES. Translation was done by Jo Tucker of the Guatemala News and Information Bureau in Berkeley, Cal. We are grateful to them for this material.

AKWESASNE NOTES: What is the participation of Indian people in the current fighting against the Bolivian military government, as Indian people? What is their primary identity -- as miners and campesinos, as indigenous peoples fighting for their nations, or both?

NILO CAYUQUEO: As workers who have been exploited they are involved in the unions, and they're fighting in that way. But on a political level they have their own Indian organizations. There are four organizations -- MILKA, MITA, MIN'KA, and MITKA. There are three organizations within MITKA -- Movimiento Indio Tupac Katari -- and the problem is that two of them decided to join the Left in a broad front, and the other one didn't want to. It is the biggest of the three, led by Constantino Lima. So the ones who didn't want to join are accused of being racists.

AN: How did MITKA leaders escape from Bolivia after the coup last year?

NC: When the coup happened they went to the mountains and the military came to the house and the office and they searched it but everybody was gone. They crossed over the Peruvian border and they were held by the Peruvian police, who were just about to send them back to Bolivia. But the church intervened and eventually they got political asylum and exile in Peru.

AN: What has happened to Constantino Lima? (see AKWESASNE NOTES, Dec. 1977)

NC: He's a refugee in Lima, Peru, but he's having a lot of trouble financially, because for six months the UN was giving him $120 a month so he could live with his family, but they're not doing that anymore and he doesn't have work -- so he's really worried because he doesn't have any money to live on. There are a number of people in the same situation.

AN: What are the particular conditions now in Chile? How is the repression and how are indigenous peoples involved in the struggle as indigenous peoples?

NC: With the coup in Chile in 1973 the repression was ferocious and hundreds of Mapuches were killed. The government dissolved the Mapuche confederation and the leaders are in exile, but those leaders who stayed - after about two years they began to form Mapuche cultural centers. This is in a more legal and open form. Leaders now have learned a lot from the errors that were made before. Before they were a member of MAPU -- the Allende front and lots of errors were made, now they've learned from those errors and there's a very powerful Mapuche organization.

AN: How were relations between the Allende government and the Mapuche?

NC: Good. The relations were good, there were a lot of benefits for the Mapuche people under Allende and the Mapuche leaders were part of Allende's front. But there were many mistakes made on the part of the Allende government toward the Mapuche Indians. Not repression, but mistakes -- because it was the politics of assimilation. So now they're independent -- they participate with various segments of the Left, not as part of a big party but as allies.

AK: So it's a situation of mutual respect.

NC: Yes, yes. It's a very autonomous situation and there's no attempt by the Left to control the organizations -- they make their own decisions. For example, the Leftist organizations are reanalyzing their position and they're proposing an alliance with the Mapuches -- a very different prospective. They've advanced a lot in their understanding. On Chile, the really important thing to stress is that the government now is pushing as fast as they can to implement a new law -- they have people in all the communities to carry out their new law to divide the land up into individual parcels. This destroys the traditional collective customs of the Mapuche. What happens when they destroy the traditions is that people leave. This is what they want, because there's a bunch of uranium underneath the Mapuche land. At Temuco, there was a new discovery made only a few months ago.

AK: How about Colombia? We've heard in the press about the situation with CRIC (Consejo Regional Indigena del Cauca) fighting against the Wycliffe Bible Translators missionary group and CRIC'S relations with the M-19 guerilla movement, who also play a role in fighting Wycliffe. Is there a common struggle, do the two organizations work together?

NC: The problem is that M-19 is trying to gain influence with the Indians, and what they've done is gone into that area and killed various landlords who have been stealing land from the Indians. What happens is then the government comes in and they kill the Indians, so 46 people have been killed in the last ten years from this situation. (It's self-interest on the part of M-19). The Indians don't want M-19 to be involved in these areas, they don't agree with their politics. It's a serious problem. There's a continuing struggle to take back the land -- (the government) takes away the land but at night the Indians go back in and retake the land. It's very well organized. There's another Indian united front that is working in other parts of Colombia -- this one's from Cauca, and there's others. There's a coordinating body of the Indians that was formed last year on the 12th of October. This coordnating body

"Some of my brothers, some of the leaders say that this attitude of the left is a new form of European colonization. Because if you look at the pyramid of a political party-- the leftist parties of the unions-- there aren't any Indians at the top of the pyramid. The Indians are the base, the masses.

is working more with other groups of Indians that are in the East. There's a new struggle, and they're building new Indian organizations in every area -- this process is very important.

AK: There's an organization called World Council of Indigenous Peoples (WCIP) based in Canada -- do they have a role in organizing South American Indian organizations?

NC: This group was formed in 1975 in British Columbia -- within it are three groups from Canada and groups from Central and South America. Also within it are Aboriginals from Australia, Maoris from New Zealand, and Lapps or Samis from the north of Scandanavia. This organization has not worked too well in recent years because the Canadians have a somewhat hypocritical and paternalistic view of the South American Indian. This group has had very little influence in South America because their politics aren't related directly to helping the actuai interests of the Indian people there -- so they don't have much influence. There was a meeting just a month ago in Australia and the outlook of the organization was rediscussed. Now the president is an Indian from Costa Rica and the vice presidents are a Mapuche from Chile and a Sami.

AN: There have been complaints about the WCIP from Aborginines, from North American Indians, and from Samis. It's interesting that all these people at once have said similiar things about this organization.

NC: There's a lot of basis to the criticism.

AN: Some have even compared them to those who are using indigenous people for different purposes, such as the CIA used mountain tribes in Indochina and the South Africans use tribal people in Namibia.

NC: Well, they're bureaucratic and they're doing a lot of things wrong but I don't think they are CIA. We're a member of the Council because we think it's important for the international contacts.

AN: Even if the WCIP does not serve rightist interests, some Leftists say that by being separatist, all Indians are splitting the revolution or could be used against the revolution. How do you counter these claims?

NC: Part of the problem is that there's not a discussion on this in international public opinion. Because the left is more powerful you hear their words. We're not anti-Communist, we're not anti-Marxist or pro-Marxist. What we want to do is to be able to work together for our common interest, which is anti-imperialist. But they're not willing to recognize Indian people as being oppressed; they just see it as another social category. For example, their analysis of European history is the stages -- beginning with primitivism, to slavery, feudalism, capitalism, and socialism. But they don't apply to South America. The Indian history is very different from this. We were developing our culture and a way of life in harmony with Nature, this is what was happening when the Spaniards arrived. It raises the whole question of what is development and how you define it. Development for the European mind is technological development and the evolution of technology that is more and more alienated from the natural state of things. They say that spiritual life has to give way to material reality. The Marxists have a religion too; they pray for a revolution. We are materialists because nature is material, and we understand our relation with it. We know the laws and how nature functions. This is why our spiritual life is dedicated to the land. The people who don't understand that life comes from the land believe in a superior being, and that's what's happened the world over.

The problem is that there's a great mental colonialization in South America. It's a colonial mentality that by reading Marx and understanding Marx's theories that's the way we're going to arrive at Liberation. Sometimes I think that the Left in South America is about a hundred years behind the Left in Europe. They're still saying exactly the same things that were being said a hundred years ago. For instance, any leftist party in South America is calling for a dictatorship of the proletariat. They can't say what kind of society it would be; they want socialism but they can't clarify. They disqualify the Indian culture; and so they repeat the process and the theories from Asia or Europe -- some other area. This is the reason why every country has their 25 different groups. The problem is that they don't have creativity; this is why we can't move ahead. The mass Indian organizations are building up and growing, but within the trade unions everything's divided. There's the pro-Soviet groups and the pro-China groups and the pro-Stalinist groups and everybody's divided.

There's another element in some countries which is the progressive church -- Catholic and Protestant. Some of the religions have done good work; on the level of human rights they're very good people, very honest people. But a church is a church. Sometimes I think what the church wants to do is to control everything by having every alternative contained within them, because they extend from Trotskyist to fascist. We work with them, of course, but we'll see what happens.

We continue to make our own organizations and to speak out as oppressed people. A lot of the leftists say that once we make a revolution they're going to keep on fighting because the Indians want to control things. We say no -- we want to live in peace but we want to be respected.

We think that a real revolution is when every people has the right to determine their own destiny. We can live in the same state and we can live harmoniously and we can work together -- it can be a multinational state. But we have to be able to determine what happens in our society, in our communities. This is something they don't understand. Some of my brothers, some of the leaders say that this attitude of the left is a new form of European colonization. Because if you look at the pyramid of a political party -- the leftist parties of the unions -- there aren't any Indians at the top of the pyramid. The Indians are the base, the masses. The so-called intellectuals with European ideologies are the ones who are running the show. This is a serious problem. In Bolivia, when Indians say they want an Indian country because they're 85% of the population, the leftists are completely surprised. But the process is very interesting because it keeps on changing; it keeps on advancing. The repression is severe, but that is partly a reflection of the success that we're having; because leaders are organizing -- religious leaders, community leaders and political leaders are organizing, and the repression is bound to come. So the thing that we want to clarify and work out with the popular organizations is how their interests and our interests coincide. Because we know that the U.S. strategy in South America is going to be to defend it tooth-and-nail, and it's going to be a very difficult and bloody struggle.

The strategy is to control the South Atlantic from South Africa to Cape Horn -- the southern part of South America, Brazil and all -- and you can see the U.S. strategy in maintaining control in this area. But there are contradictions because Brazil, Argentina, and now Chile are fighting over who's going to have the leadership in being the U.S. puppet -- the leading puppet.

AN: Do you believe that the problems with the Marxist organizations in South America come from the way they interpret and apply Marxism, or from problems inherent in Marxism?

NC: It's both. Between Marxist theory and Marxist practice there's a huge difference. Marxism speaks of liberty, but ask any socialist in what socialist country today is there freedom. And I'm not talking about bourgeois freedom, I'm talking about real freedom. We look at what happened in the Soviet Union to the indigenous peoples, and te Soviet Union supporting the military regimes in South America. And China, which has turned around from its socialist program and now it's not clear what they're going to do. We look at Vietnam and Cambodia -- socialist countries who have massacred indigenous peoples. And we see what the Ethiopians are doing to the Eritreans. And what the Albanians have done against everyone.

"Socialism is a European vision. It's a European concept because they want to replace socialist organizations for the Indian communes that exist in South America. So it's a social disruption process because they destroy the organization that exists among the Indian people. These communes, or "ayllus" exist in all the Andean countries: they are already collective. They are collectivist, they don't need to become socialist. What we have is a conception of the world that is completely different from the European conception of the world. I'm not saying that the Indian societies are perfect, but our system or organization is humanistic.

AN: But are these countries really "socialist"? Many would say that the reason that they oppress people is because they haven't implemented real socialism. There is a difference between the theory and their practice.

NC: Yes, So then what is socialist theory? If socialism hasn't worked in Europe -- where it was inspired and developed -- how can we expect it to function in a situation that is completely different, like South America? The thing that has to happen is that we have to have new definitions of what's going to happen in society. We have that. We know what we want. But we're not going to say that everybody has to be Indian. Marxism has many good things that you can extract from it and that I'm in agreement with. For example, there's an exceiient theoretician in South America named Jose Carlos Mariategui who has made applications to the Indian situation. But in the end he says that Europe has the methods and the forms, so the revolution has to come from there. The methods have to come from Europe. But he was an "Indianista"; the trouble is that he died when he was 32. There are people following him, but he didn't develop things anymore, they didn't have his leadership.

AN: That's something like Marx himself. Marx was writing his ETHNO-LOGICAL NOTEBOOKS when he died, and those could have been very important as applied to so-called "primitive com-munist" or "pre-capitalist" societies.

NC: Yes, the trouble in South America is that there are not people who are creating this; they're just following the line. This is the trouble -- that we lack people with creativity.

AN: There are some Marxists in the world who are trying to reexamine the writings of Engels and Marx -- based on "primitive" societies such as the Iroquois Confederacy, which was one inspiration for their writings. They are trying to see that perhaps what Marx was saying was that "communism" is actually a return to "primitive communism". "Primitive" in German meant "naturally occuring" or "first" rather than "backwards". Is this a trend you could work with?

NC: Yes, the thing is that nobody has put forward the plan on how you would return to that. I was in Europe for two months giving conferences -- in West Germany, France, Switzerland, Sweden, many countries. Everywhere there's this new revision of Marxism. The youth are very disillusioned with Marxism. So they have the 'Green Party', and people going back to the mountains, and people who want life as it was before the industrial society. The actual Marxists are relook-ing at their theories. I talked with Marxist-Leninist professors who said they don't know how to continue working with young people, because people are saying 'look what happens -- we get the news from other countries about what's going on, how can you continueto believe it, if this is Marxism this isn't what we want.' This isn't people who don't know how to read, this is people who know what Marxism is. For example, what's going on in Poland -- many say that it is the fault of capitalism and that it's being run by the CIA. This could be, but for whatever the case the truth is that people are completely dissatisfied. Because of this it's impossible to form a protest.

AN: Marxist theorists say that socialism is a method to institute Communism -- that total equality can't be achieved without the authority to direct the process. They would say that indigenous cultures lack this process of administration, that socialism is necessary to collective society.

NC: Socialism is a European vision. It's a European concept because they want to replace socialist organizations for the Indian communes that exist in South America. So it's a social disruption process because they destroy the organization that exists among the Indian people. These communes, or "ayllus" exist in all the Andean countries; they are already collective. They are collectivist, and they don't need to become socialist. What we have is a conception of the world that is completely different from the European conception of the world. I'm not saying that the Indian societies are perfect, but our system of organization is humanistic.

AN: It's important to ask whether or not there can be an ideological dialogue between Marxists and indigenous peoples based on their ideologies. Can Marxists learn from such a dialogue, to apply it to their own situations? In other words, can Marxists learn something from indigenous people on how to improve Marxism?

NC: It has to be an honest and open dialogue but I think that can cappen. We're open and we want to do that.

AN: Marxist theory, from Marx and Lenin on down, is that Native Peoples have a right to complete self-determination; that it's for them to determine if they want to be part of a nation or if they want their own separate nation. Do you see this in accordance with your views?

NC: They confuse autonomy with self-determinatin. If you take the example of the Russian Revolution; when they had the revolution Russia took power and they determined that there would be an autonomous relationship and not self-determination. They speak of administra-tive autonomy and not real political autonomy, because the central state plans are going to be what happens. This doesn't happen in the Indian communities. It seems that that is what socialism is, that there has to be control of the state. You can see in every socialist country that the dictator isn't the working people, it's the party. I used to go with the books and said 'look, this is what Lenin said', but it didn't work that way.

AN: Isn't that a question of the difference between theory and practice? Native peoples here have a religion to guide them, but most people don't really know yet what they're striving for. It looks like the way that Marxism has been carried out is very far from what the theory was. For example, Marxists writings aren't just material, they carry an element of the spiritual - despite what Marx's followers say.

NC: Marxism can possibly be improved if the theoreticians can get to the root of it. But there's still another factor that enters which is culture; and here you have European culture. European culture was always individualistic and alienated. It has always been destructive and colonizing. So what happens is a lot of people, when they see they're about to lose their privileges, become leftists. Also to soothe their consciousnesses. So they talk about the revolution, but it's self-destructive. Certainly there's honest people and heroic people, but in general the leaders aren't like that. What I see in the leftist groups in South America is dishonesty, people lying to the extent that they could kill somebody in a rival organization. They're fighting with sticks and boards and shootig at each other.

AN: So with the general craziness here in the U.S., with people flipping out and killing each other, you can see the left in the same context - as affected by the same culture?

NC: Yes, the alienation.

AN: So what you're saying is that if the Left cleaned up its own act, that there would then be the respect and the dialogue with Native Peoples?

NC: Sure, that's what I'd want to happen. There's places where that's happening now, where there's a working relationship – in Chile, in parts of Colombia and Venezuela. The Right does have an influence on the Indian movement in that they say 'don't have anything to do with these Communists, you're not Communists, you're good little Indians'. We're aware of that, and we're not tricked by that.

AN: Would you say that the bourgeoisie is your enemy and the leftists could be your friend, even if they're not especially good friends?

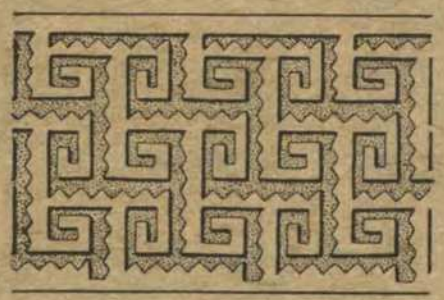
NC: Well, we'll have to see. For instance, in Guatemala they say we'll make the revolution and then we'll see if we have to make another revolution – an Indian revolution.

AN: And in Nicaraugua? Indian people were some of the strongest fighters in the Revolution, but now we hear that there has been fighting between the new government and some of the Meskito people.

NC: Yes, four peole have been killed. The problem was that the Sandinistas wanted to organize an Indian organization but the Indians didn't want them in their organization. There are Indian prisoners now. What we need really is more information about this, because some people say they're being manipulated by the CIA, some say they're being manipulated by the Church, some say by the Maoists, some say by the Trotskyists. But what we do know is that in the projects and programs of the Sandinistas, for instance the literacy campaign, the rights of the Indians weren't protected. I've seen murals and propaganda posters that say 'We must make Nicaraguans more Nicaraguan.' This makes us very sad because we strongly supported the Revolution; now we want to see what happens.

(Note: The same evening as the interview, the Deputy Ambassador to the Nicarauguan UN Mission, Alejandro Bendana, delivered a speech defending his government's Indian policies. He spoke at length about the conflict between Managua and "certain pseudo-indigenous leaders" who he claimed collaborated with ex-dictator Samoza's forces, missionaries, and U.S. corporations. He described the area as "isolated" and "backward" with a "most primitive type of economy," where there are no schools and "few knew Spanish." He said that the "old leadership" is being replaced by new Sandinista organizations. Bendana said that the literacy campaign has taught Native languages. He said that the Native Nations now have the "right to autonomy" and the "right to land, language, culture, and (the right) to be organized." "We provided that right to them," he explained. Nevertheless, Bendana said, there is an "understanable ... distrust of anything that was white." He concluded: "We can't say we fully understand them...")

NC: It's very different in Nicaraugua where Indians are a small minority from Guatemala where they're the majority. If the Indians there are able to organize and put out their program they can be the leadership of the revolution. They would be able to work out the situation that would be necessary.



BOOK REVIEW by Ismaelillo

Here is a book that deserves special attention. It is called: UTOPIA AND REVOLUTION: The Contemporary Political Thinking Of The Indians In Latin America.

UTOPIA AND REVOLUTION was published in Mexico, by Editorial Nueva Imagen. We just got it in the mail ourselves and have been reading it hurriedly--don't know even the selling price--but want to encourage its circulation as rapidly as possible because without question it is a breakthrough kind of book, opening a panoramic view of contemporary Indian political currents in Central and South America and achieving a comprehensive interpretation of the principles of struggle that transcend the specific struggle situations.

It was edited by a radical anthropologist--Guillermo Bonfil Batalla--to whom we must express our appreciation. A brilliant, incisive essay introduces the main body of the book, which consists of a compilation of political documents elaborated by many Indian political organizations during the past ten or twelve years. The author details much of the thinking that the Indian Peoples have, which emerges out of their cultures and which outlines the guiding set of tenets for the liberation struggles of Indian Peoples.

There are nearly 500 Indian nationalities in Central and South America, speaking Spanish, Portuguese and hundreds of Native languages--distinct peoples who want to survive as such. They number around 30 to 40 million in population and are bonded by a common history, which is a way of thinking that existed in this continent prior to the invasions (Bonfil Batalla makes it clear that while there have been many invasions, there has never been a decisive "conquest") and which also contains, in a contemporary setting, one of the best possible ways of looking toward solutions that may bring some sanity to a very distraught world.

The author takes an incisive look at the very concept of "Indianness" as opposed to (within might be a better term) the reality of many different Native nations and cultures. One definition, which is widely accepted in Indian and progressive thought, is the fact of the shared experience of colonialism as the common denominator of the Indian identity. Even the colonial history details this definition--the fact of "indianness", however, having been used as a racist weapon to deny humanity, to deny the right of Indian Nations to exists as distinct Peoples of the world. Nevertheless, the Indian Peoples themselves, in the course of seeking liberation, have also taken on a reverse form of this definition. We are reminded of the words of Bolivian Indian leader Constantino Lima: "The term INDIAN has been used as a knife with which to subdue us--now we take up that same knife and apply it to ourselves, as a weapon against the common identity of the colonizer."

The nugget of the introductory essay, however, is the author's definition of Pan-Indianism--offering as a base for this growing political movement the unifying reality of the Indian Civilization. This is important, because the acceptance of such an Indian reality by Western intellectuals, however incipient, must be viewed as a major initial step in turning the corner on 500 years of colonialist history.

The following are some passages on that topic which we have informally translated and would like to share with our readers:

PAN-INDIANISM: The Affirmance of a Civilization

"It is postulated (within the Indian documents) that in America there exists only one unitary Indian Civilization. All the Indian Peoples participate in this civilization. The diversity of cultures and languages is not an obstacle to affirmation of unity of civilization. (It is a fact that all civilizations, including Western Civilization, have these sorts of internal differences. But the level of unity--the civilization-- is more profound than the level of specificity--the cultures, the languages, the communities--; the civilizing dimension transcends the concrete diversity.)

"The difference between the diverse Peoples (or ethnic groups) have been accentuated by the colonizers as part of the strategy of domination. It has been pretended by some to fragment the Indian Peoples, who are able to share in a unified civilization, by establishing frontiers, deepening differences and provoking rivalries. This strategy follows a principal objective: domination, for which it is attempted, ideologically to demonstrate that in America Western Civilization is confronted by a multitude of atomized peoples, differing one from the other (every day more and more languages are "discovered"). Thus, in consequence, such peoples are believed incapable of forging a future of their own. In contrast to this, the Indian thinking affirms the existance of one--a unique and different Indian Civilization, from which extend as particular expressions the cultures of the diverse Peoples. Thus, the identification and solidarity among Indians, the "indianness", is not a simple tactic postulate, but rather the necessary expression of historical unity, based in a common civilization, which the colonizer has wanted to hide. The Indianness, furthermore, is reinforced by the common experience of almost five centuries of domination.

"The past is also unifying. The achievements of the classic Mayas, for instance, can be reclaimed as part of the Quechua foundation. (In passing: much the same as the French my affirm their Greek past); it is the common civilization. And even beyond the remote past which is shared and beyond the colonial experience that makes all Indians similar, Indian Peoples also have a common historic project for the future. The legitimacy of that project rests precisely in the existance of an Indian Civilization, within which framework it could be realized, once the "chapter of colonialism ends". One's own civilization signifies the right and the possibility to create one's own future, a different future, not Western."

There is much more--both to the introductory essay and the Indian documents that make up the overwhelming portion of the book. We won't attempt a systematic review of the various documents or organizations represented in UTOPIA AND REVOLUTION--except to note that within them a discerning reader could find a substantial cross-section, almost a documentary record (reclamation of rights; denunciations of concrete cases of oppression; segments of history from an Indian perspective) of the past ten years of struggle. An excellent, albeit necessarely and gloriously incomplete account. Other critics (there are, to be sure, overlooked groups--in fact, it is hard to determine if the total silence on the North American reflection of these currents is a minus or a plus in this instance) will probably add to the ongoing dialogue. But more definitively, it is hard to overemphasize our appreciation of the importance of this kind of visionary editing effort. It will stand, we believe, as a point of reference to all future works attempting to define and amplify the currents of Indian political philosophies. Certainly, it should become required reading to students (anthropologists particularly take notice!) everywhere contemplating the study of Indian history and culture.

Finally, we wish someone out there would translate this book and thus make it available to the English-speaking world. For the moment, it can be ordered from: EDITORIAL NUEVA IMAGEN, S.A., Sacramento 109, Mexico 12, D.F. or Apartado Postal 600, Mexico 1, D.F.

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The Cacique

The Guajito People in Venezuela

By Stan Steiner

On the Colombian border where the tangled jungles of far western Venezuela create a barrier impenetrable to all but the Guajito Indians, on a serene and hidden lagoon deep in the mangrove swamps, there stands the abandoned house of the great cacique of the Arawak peoples, who was known as El Torito, the Little Bull, who was the son of El Torito, the Great One, the legendary chief of the people of the coastal jungles.

The road to his house is now rutted in the sand. Father and son are both dead now.

In a field surrounded by barbwire a man is farming. He does not answer our calls. He is a country Indian and he understands not English, nor Spanish for, he speaks only Guajito. Nonetheless, he seems to understand our request to see the cacique, for he smiles. And says nothing.

The man is wearing a straw hat and a red polo shirt. His only other clothing is a loin cloth: it is a flowered polyester that he wears in the traditional way, knotted on his crotch. Red seems to be his favorite color, for his house is painted a bright, blood red.

When we are about to get back into the car, he waves to us. And, without a word, he comes running, leaping the barbwire fence, like a young man, and with his hands he tells us he will take us there.

The man points down the road. And, he gets into our car. Smiling at our surprize, he offers his hand.

Sitting in the frontseat of the car he hunches forward as if ready to jump out at any moment. He says nothing. Once more he indicates the direction with his hand, guiding us until we come to a compound under a grove of palm trees, where he gets out, shakes hands, waves, and without a word runs off, trotting back to his farm.

An old man comes out and opens the cattle gate. In a few moments a tall and simply dressed man emerges from the cluster of huts and sheds. Though he could not have known we were coming. he welcomes us casually, as though he was expecting us. He is gracious and polite. Nemesio Mantiel is his name, and he is the son-in-law of El Torito his wife is the eldest daughter of the cacique. That makes him a respected and powerful man. For the Guajito people inherit not only their family name, and land, through their women, but their family honor, as well.

Even so he seems a modest man. He is friendly and informal. He has none of the mannerisms of a head of state. A man whose people reign over the beaches and mountains that are as strategic and rich as these might be expected to strut his power. But he does not.

There is no hint of his powers in his gentle smile. Some of the richest oil deposits in the world, worth billions of dollars, lie beneath the lands where the Guajito people have lived for centuries but he says nothing of this oil wealth. One boast is all he makes as he introduces himself. Just one.

"Myself, I have thirty eight children", he says "Twelve of them are professionals. Four are in the university, right now. Yes, thirty eight children. That isn't too bad".

Some say he is seventy, but he has the appearance of a much young man. He is proud of his vigor.

Beneath a mahogney tree he sets up some chairs. He bids us be seated. His son brings a tray with little demi-tasse cups of coffee. The China cups are painted with yellow flowers. And the son-in-law of the cacique says. "Do you take sugar". So our conversation about the life and the death of his people begins.

And I say: How are things with the Guajito

He says:

Now there is a terrible drought. The cattle are dying. The land is too dry to be farmed. We call the rain. But, the rain does not come. We have had the rain ceremonies. But, the rain does not come. We have danced and worn the proper masks and things. But, the rain still does not come.

And I say: Maybe your prayers have not been good.

He says

Sometimes everything is wrong. When your scientists call the rain, does it come?

And I say: But, the Guajito people, they are still strong?

He says.

There are maybe one, two, or three, hundred thousand Guajitos. Maybe more. No one knows how many. And we speak many dialects and live in many different places, but we are all Guajito.

We are one nation. Some of us live in Venezuela. Some in Colombia. And some in Panama. But, we are all the same nation. It does not matter what you call us for we are what we are. You know, the Guajito go back and forth over these borders, all the borders. It does not matter to us.

You know, we vote in both countries. Because it is all one country. It is our country.

And I say: In times like this how do the Guajito survive?

He says

Some people farm. Some people do selling. On the beaches and in the mountains they say there is much contraband. They say there is smuggling. Even whiskey from Scotland, that comes to the island in the Caribbean, and from there to here, somewheres. Big ships bring it. That is what they say.

And they say there are high government officials involved. I do not say who. That is what they say.

Then, there is the weed. The weed they call marajuana. Sometimes the government tries to kill it by spraying it from airplanes. Sometimes thy raid the fields. But on the Colombia side of the border, I hear, they say there are hundreds of hectares of the weed.

Everyone comes for the weeds. The North Americans, the Germans, the Italians, the Greeks. They all love the weeds. You know why?I ecause the weed is money. And they all love money.

So we survive.

And I say: And what about the oil men who come here?

He says:

When the oil men came, in the beginning, some of our people did not wish them to come here. So, they shot at them. If I did not go with these oil men they could not have come here.

And I say: Where?

He says:

Where you cannot go! In the uncivilized country! Where no one can go, but the Guajito!

And I say: What do you mean by the "uncivilized country"?

He says

Come when the rainy season is ended and I will go there wit you. You can get there only in a four wheel drive. It is where only the Guajito can go. That is why we can survive, you see, because there are places, even now, where only we can go. That is why we survive.

And I say: They say the Guajitos have no cacique now. If you have no cacique, how can you survive?

He says:

The elders have not yet chosen a cacique because they say no one is qualified. Not now.

Sometime, but not now.

To be a cacique one must have the proper qualities. One, he must be a good farmer, he must know the earth. And, two, he must be a man of courage, a brave man, who has a brave heart. And, three, he must have a knowledge of economics, how capitalism works, so he can help our people profit in the marketplace. And, four, he must have an intelligent mind, he has to know what the others think, so he can protect our people against their thinking.

When El Torito was our cacique, he could do all these things. He could not read. He coult not write. But, he had all of the four qualities.

One day, when the dictator, General Jiminez, came here El Torito asked him a question. El Torito asked the dictator a question which he could not answer. And, so, we are waiting for a cacique who can ask questions they cannot answer.

We can wait.

And I say: These things, these oil men and smugglers and weed lovers, aren't they corrupting the spirit of the Guajito?Isn't all this destroying you?Isn't it bad for your people?

He says

No. When our young people go working in the cities, they almost always come home to our people. Even the professionals almost always come home.

Once you are a Guajito, you know, you are always a Guajito. Always! No one can change that. We say Everyone who is an Indian is a Guajito. They are born a Guajito. They die a Guajito.

So, that is the way it is. No one can change that.

Now, we have three hundred of our young people who are in the university, who are professionals. Soon these young people will come home, to help us. And we wait for that. When they come home, then the time will come for us to proclaim the Guajito nation. Our own nation. Not the nation of others. Our own nation. Maybe, then, we will have a plebiscite, you know, what you call a democratic vote, as you call it.

We can wait.

The son-in-law of the cacique once more smiled his gentle smile. It was all he wished to say.

On the lagoon, under the mahogany tree, deep in the mangrove swamp, beneath the isthmus where the Panama Canal once had been dug through their land, the people waited while all the foreigners argued among themselves about who owned the man-made river of water that flowed from one ocean to the other. No one has asked them who they thought owned the land of their ancestors.

And so, they waited.

Postcript

As I left the son-in-law of the cacique he gave me this message for the Native people of North America.

Tell them this.

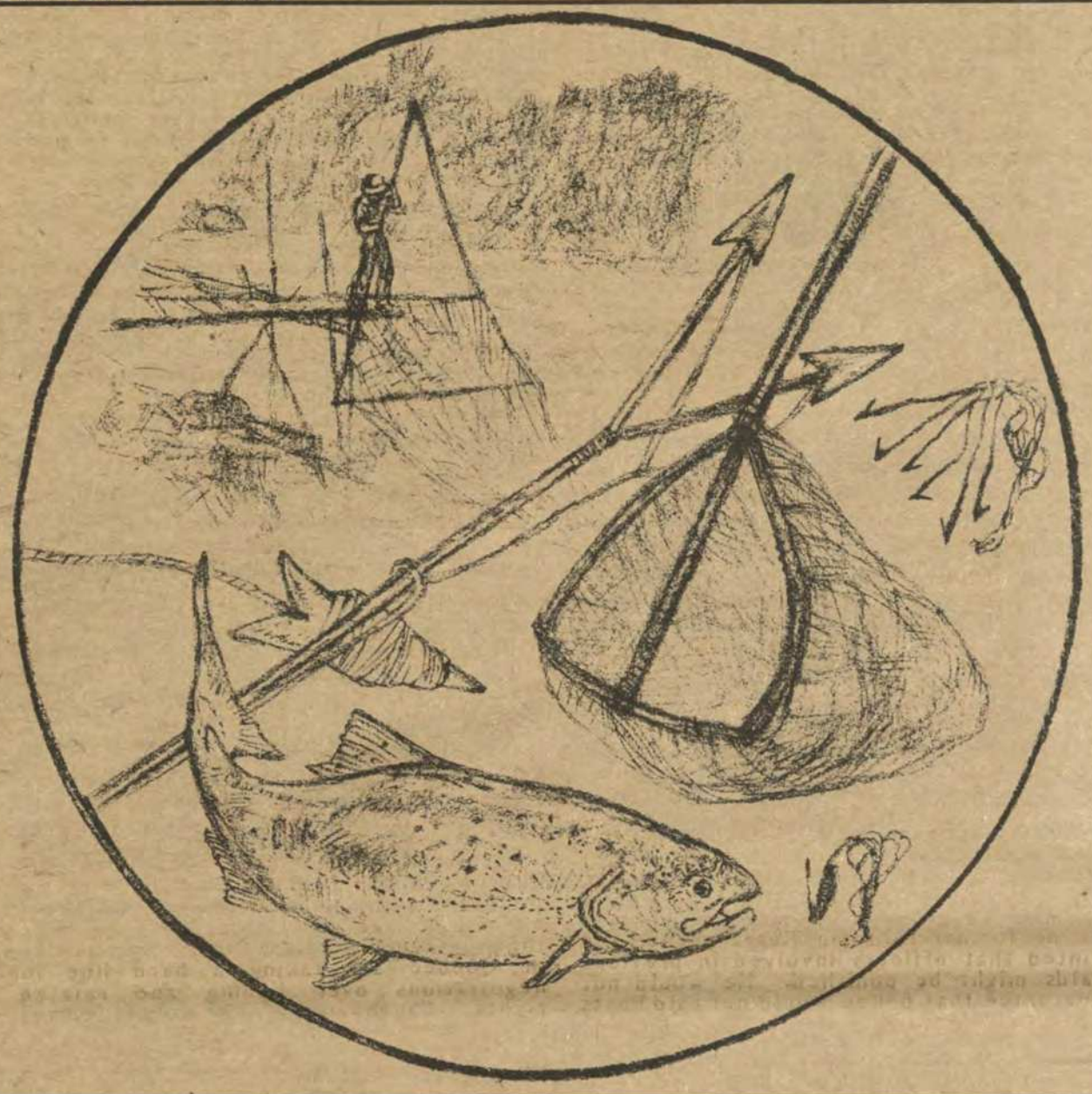
Some people say we have learned the idea of independence from the Indians of North America. But, we say that is not so. We say that the Indians of North America, may have learned it from us.

And we say that because no one has ever conquered us. No one.

Micmacs Defend Fishing Rights

Assaulted By Quebec Provincial Police

RESTAGOUCHE



A CONFRONTATION that could escalate into another Indian war, according to the Indians involved, erupted this summer at the Micmac community of Restagouche in northeastern Quebec. On June 11, 550 Quebec Provincial Police in riot gear staged a surprise raid on the 30-square-mile reserve, whose population of 1700 is entirely dependent on salmon fishing. Police in riot gear allegedly marched into town and entered peoples' homes, seizing nets and snatching salmon from peoples' freezers without warrants. Witnesses stated that they also threatened and beat people in their own homes in a police action in which the police committed acts which can only be described as acts of burglary, armed robbery, and assault with deadly weapons. The government of the reserve, part of the Micmac Nation whose treaties with the federal Canadian government guarantee them the right to be "left in their liberty to their hunting and fishing," recently passed a bylaw formalizing what has always been their custom: during salmon run they fish 72 hours a week, in 6 sessions of 12 hours a night. The Quebec government wants them to fish 24 hours a day, 3 days a week, instead.

Expecting a minor dispute with a few fisheries wardens, the Micmacs were shocked to find themseves the victims of what a vacationing Mohawk policeman on the scene termed, "not a police action but a military occupation." The QPPs reportedly beat people, including women and children, exposed themselves as they urinated on streets and lawns, seized 100 allegedly "illegal" fishing nets and even took fish from the refrigerators of private homes. None of the eleven arrests that day were for fishing violations, however.

Police remained a visible presence in the area over the next several days, as Indians from the United States and Canada began arriving at Restagouche, includng a large delegation from the Iroquois Confederacy. When an increase in police was again reported on Wednesday, June 17, the Canadian National Indian Brotherhood moved its entire executive council, consisting of representatives from every Indian community in Canada, from Vancouver Island in the Pacific Ocean to the besieged Micmac community in northeastern Quebec.

On Friday, June 19, according to the Micmacs, federal minister of Indian Affairs John Munro promised Band Chief Alphonse Metallic that there would be no further raids on the reservation. He also promised a Monday meeting between the Band Council and federal lawyers to draft a resolution precluding provincial jurisdiction at Restagouche. Quebec Justice Minister Petard also assured the Micmacs that police would not move in over the weekend.

At five the following morning, however, acting on a Friday night request from Quebec Fisheries Minister Lucien Lessard, police renewed the blockade with armored gunboats. They teargassed fishermen who went out to find their nets, and seized 30 more fishing nets. Despite the assurances of Munro, both to the Micmacs and the Canadian House of Commons, that there was no federal participation in the Restagouche attacks, the bridge leading into Campbellton, New Brunswick, was blockaded by Royal Canadian Mounted Police, according to witnesses. Attempts to contact major Quebecois media from inside the reserve that morning were intercepted by a recording that said, "The number you have reached is not a working number," and a UPI release stated that reporters approaching the barricades were warned by police, "Stop or we'll shoot. We have our orders." Police also announced they intended to march through the reserve that night in a show of force, an event forestalled perhaps, by the arrival at the reserve of Indian Affairs Minister Munro, who met with Chief Metallic and the Band Council on Sunday.

At the end of that meeting, Munro announced that he could not promise that the QPPs would not raid the reserve again, and he asked the Micmacs to remove the barricades they had erected for their own defense. The Micmacs refused, since their intelligence indicated a continued police presence of 400 or more within 25 miles of the reserve.

On Monday, a QPP spokesman said police were being withdrawn to their regular assignments. Quebec Premier Levesque, on the same day, issued a statement criticizing the federal government for attempting to "interfere in Quebec's internal jurisdiction." Levesque termed the police raids excessive but necessary, and said further police intervention had not been ruled out.

By Tuesday the police had in fact been removed--at least from the immediate vicinity of the reserve. Fisheries Minister Lucien Lessard flew into Restagouche by helicopter with Micmac police acting as his security. At the end of his meeting with the Chief and Band Council, he indicated he would not hesitate to call in police again. Chief Alphonse Metallic and the Band Council responded with the following statement:

"We will meet with the federal government to discuss the protection of our rights and to explain to them our status and rights as nations. We will consider allowing the provincial government to observe the meeting, so that they will come to the same understanding. We are careful not to call these meetings negotiations, because our rights are non-negotiable. It is this misunderstanding of our rights and status as nations that has caused this situation to develop. The Provincial Government does not recognize our status, and are therefore exceeding their authority in attempting to exercise their power within our territory.

It must be understood that the province has no jurisdiction within the territory of the Micmac Nation. The Canadian government never had jurisdiction on reserves, so they could not have passed such jurisdiction on to the province. The Imperial Crown also did not have jurisdiction within our territory, when they formed and granted powers to Canada, so they could not have passed it on. The only people who could have passed our jurisdiction is the Micmac Nation, and this has never happened.

We entered into a relationship and signed treaties, and we have continued to act as an ally as late as the last world war, when we sent 52 of our warriors into battle to defend the Crown. The Crown, in creating Canada, could only pass to Canada those powers, authorities and jurisdictions which it was the Crown's to pass. They did not have jurisdiction over the Micmac Nation's fishing, or any other aboriginal right, and therefore they could not have passed it to anyone.

It will be said that in entering into previous agreements we recognized the provincial jurisdiction, but this is not true. In entering into those previous agreements, we agreed to co-manage responsibly the resources which our people and the province's people share. We are concerned that they do not take more than they need, and we are conscious not to take more than we need, as we have always been. The ultimate decision as to how much fish were taken, how they were

taken, or when they were taken, was always ours to make. But as responsible governments, we deemed it wise to co-manage to resources with our non-Indian neighbors.

Suddenly this year the provincial government decided to tell and to order us what to do. They gave us ultimatums which surprised us, because we thought they understood that they could not do this. Then they sent in an armed force among unarmed people and committed many atrocities and crimes. When we realized that they were determined to continue these violations of our national and human rights, we decided to call upon our brother nations to assist us. We have not been a violent or a military people for many years, and we thought that, with the Crown and Canada as allies, we would not need to be. But Canada showed us this week that they cannot be relied upon to protect and defend our rights and territories. This we must do ourselves, with the help of our brother nations.

Until Canada and the provinces recognize the aboriginal nations of North America, incidents of this nature will continue to happen. We tried to tell this to the federal government at the Constitutional talks, but they refused to listen, and still have not recognized our rights in their highest law."

In the meantime, the Micmacs strengthened their defenses, setting up checkpoints for cars at all the entrances to their territory. On Wednesday a marine biologist on his way to Restagouche to investigate the salmon fishing on behalf of the Micmacs accidentally encountered a large contingent of QPP SWAT team personnel, and their families, in a motel 200 miles away from the reserve, where he stopped to spend the night. They told him they were waiting for the order to renew the attack on the Micmacs.

By Thursday, perhaps in response to international expressions of support for the Micmacs, perhaps because of Chief Metallic's statement that there would be bloodshed if the police attacked again, Premier Levesque announced there would be no further raids on Restagouche, and hinted that officers involved in previous raids might be punished. He would not guarantee that police would not raid boats on the river, however. The Micmacs said that was unacceptable, and when, a few days later, they received word that Fisheries launches were heading toward the reserve, they sent their own boats out to meet them. The Fisheries personnel withdrew.

The raids at Restagouche were a particular shock to the community because general negotiations, of the kind that have previously led to agreements on co-management of the salmon resources, were underway at the time of the first attack. They suspect there are larger political issues at stake than the size of the salmon catch, (the Indian share of the salmon take is estimated at 12%) and that they are being used as pawns in the Separatist struggles of the Provincial government. One possibility is that Levesque is trying to create an incident in which the federal government will have to intervene on the Indians' behalf, and he will be able to make political hay out of alleged interference in the province's jurisdiction. This view is borne out by his statements to the press early in the week of June 22.

But it is also felt that Restagouche may be only a dress rehearsal for a larger assault on Indian land rights and sovereignty. The other reservation within the geographic borders of Quebec that has a federal treaty relationship is a Mohawk community of 7,000 people called Caughnawaga, located on the St. Lawrence adjacent to the city of Montreal. This community, according to Mohawk Ron LaFrance, figures largely in something called "Operation Archipelago," a Quebecois energy project involving the sale of electricity to the New England states. Mohawks say the Premier had already indicated he wants land on Caughnawaga for a hydro-electric project. It is possible that the Quebec government planned to establish the precedent for provincial jurisdiction on the two reserves at the more remote Micmac community, before zeroing in on the actual target, Caughnawaga.

At present, however, it appears these plans may have backfired. In response to the Restagouche raids, other communities in Quebec are taking a hard line in negotiations over fishing and related rights. Caughnawaga -- as well as Indians throughout Canada -- have been alerted to potential threats to their sovereign rights. And the twenty-five Micmac communities of Nova Scotia, New Brunswick, and Quebec sent representatives to Restagouche at the beginning of July to discuss their renewal as a nation. According to Al Chrisjohn of the National Indian Brotherhood, the time and place are completely appropriate.

At last report, there were signs that Levesque was looking for a "graceful exit" from the situation. Chrisjohn says the Micmacs have received word he is willing to issue a permit for them to take as many fish as they like, provided they will sit down and negotiate. But the Micmacs say they do not need a permit from Quebec to fish, and their sovereign rights are not negotiable. Meanwhile, they have strengthened their defenses and their intelligence network, and they say they are ready for "almost anything."

In July, a Canadian Civil Rights Commission agreed to study whether the rights of the Micmacs had been violated during the police actions. The situation at Restigouche appears likely to remain tense through the summer. In separate incidents, two young Indian men were shot and seriously wounded and a bar was burned to the ground. Arson is suspected. The Micmac people are organizing to continue their struggle against the Quebec government and the mounting racism which surfaces in disputes of this kind.

Above all, they are determined to avoid a repetition of the attack of June 11. Mrs. Gloria Dedans, librarian and wife of the director of the Cultural Center at Restagouche, who was struck with a police baton that day when she attempted to take her 6 year-old son home for safety, said police actions left the community in a state of shock and terror: "Those people treated us like animals, " she declared, "and we're not! We're just as human as they are."

RESTIGOUCHE JUNE 11, 1981

On June 14, 1981 the Inquiry team interviewed several people who described what they had experienced on June 11. Some signed sworn affidavits others wished to recount their experiences in less formal ways.

BARBARA BRISK

"I am fifty-one years old. Two officers with life jackets came up from the shore. I was hanging my wash. One twisted my left arm behind my back for a few seconds and asked me whose net that was in the water. I told him I didn't know. My arm is swollen and bruised."

BRIDGETTE BARNABY - (This woman is in her mid-fifties)

"I ran to the beach behind the Clipper Motel as the invasion started. I arrived to see a three and one half year old child kicked by a policeman and another policeman pulling a young man along the ground by his hair. I heard one policeman say, "god damned savages," another said, "why should we give a damn - they're only Indians," while another said, "if we have to kill - kill. We're taking orders."

MICHAEL ISAAC

"I got to the wharf by boat. After consultation with Chief Metallic, who was also there, I convinced the fishermen at the end of the wharf to leave peacefully, even if provoked. They agreed. I told the commanding officer that I am the fisheries councillor for the band. The officer told me I was no longer the boss and that they were the bosses for the day. As i was speaking, I saw two Micmacs being dragged out of one car and handcuffed with their hands behind their backs. The police then ransacked the car, pulled the back seat out completely and poked a hole in the radiator with a stick. I then went to the band office through the fields because the police still blocked the roads. From my office window I saw a policeman urinating on the front lawn of one of our residents. There were women and children nearby. After one policeman was through, another urinated at the same place. I yelled at them to stop but they ignored me,"

ADRIAN METALLIC

"I am a twenty-six year old epileptic. I was behind the Clipper Motel watching the wardens taking nets. The police charged toward me and I ran. One polceman caught up to me and hit me on my left thigh and on my back with his riot stick. I was hit on the head and lost consciousness. I woke up ten to twenty minutes later where I had fallen. A friend was holding my head. Another friend brought me to his house where he washed and bandaged my wound. I went to the hospital in Campbellton once the blockade was lifted a couple of hours later. The doctor fixed me up and said I had a concussion. The police made no effort to help me once I was hurt. My back and head have been sore since then."

NATIVE CHILD

"UNITY AMONG NATIVE PEOPLES"

(This a view of a recent Grand Council meeting as seen through the eyes of a 12 year-old Native boy.)

"Hunio oksa" (hurry, come on hurry) it was early Saturday morning and my father was rushing around the house getting our family ready to go to Onondaga for the meeting of the Grand Council of the Iroquois Confederacy. It would take us 3 hours to travel to Onondaga for the 2 day meeting.

The Iroquois Confederacy or the Haudenosaunne (the people of the Longhouse), as we call ourselves, includes the Six Nations - Onondagas (the Firekeepers), the Mohawks and Senecas (the Elder Brothers), the Oneida, Cayuga and the Tuscaroras (the Younger Brothers). Each of these Nations has their own chiefs and governing body. Each Nation sends chiefs to the Grand Council meeting where business is conducted.

Iroquois people have one of the oldest forms of government by the people which is based on unifying the people for the survival of the people.

The meeting was opened in the ancient traditional greetings by the Onondagas in the Onondaga language. Business is presented by the Elder Brothers who discuss it and pass it across the fire to the Younger Brothers. It is discussed by the Younger Brothers and their decision is passed back across the fire to the Elder Brothers who pass it to the Onondagas. All the Nations must agree on the decisions.

As our family arrived at the Onondaga Longhouse there was a feeling of excitement. My cousin came running up to me, "Did you hear the good news? We have a special visitor today. He's a Mapuche from Chile in South America. Hunio Oksa, let's get a seat in the Longhouse." We hurried into the Longhouse.

One of the older Onondaga chiefs greeted Nilo, and introduced him to the people saying, "We are honored to have with us today a Mapuche brother from South America." There was a pause as his words were translated from Onondaga into English and then from English into Spanish.

Nilo rose to speak. He was a short man wth black hair and eyes and brown skin. He stood with a quiet dignity and pride before the Grand Council.

Nilo spoke in Spanish to us. He brought greeting to us from his people. He explaind that his first language is his peoples language - Mapuche. Spanish is a language brought to his people by the colonizers. There was another pause as his words were translated from Spanish to English.

Nilo told us that all through South America and Central America the that there are Native peoples who have the same desire as we do to keep their own special way of life.

In Chile, he told us, the Mapuche people are being repressed by the government. He explained that dictatorship governments are using the military to get all the Indian peoples lands.

The oppressors have methods which they use to divide us, to destroy us as Native peoples.

In Brazil, they use napalm, slavery and epidemics to destroy us. The evangalistas and Christian missionaries try to divide our peoples. They go into a village or community which is united by having its own religion, government and customs. These people come into a once united village and disunify it by creating many different religions.

Nilo told us of a Mapuche prophecy which says there would be a time in history when some of our people would look like Indians but would have their minds changed to think like the oppressors. The prophecy says there would be a great wind which would come and move those people into a very dark valley from which they could not escape. It would be a darkness because they would no longer know how to treat people as human beings. This great wind would give life to real Indian feelings and would bring real unity to the peoples. The great wind is this generation of Native People who are trying to unify the peoples.

Nilo thanked the people for the privilege to speak to this Indian government which has existed since tme began.

An elder Onondaga chief, speaking in Onondaga, said that we also have prophecies which speak of this time in history and of this great wind which will set things right for Native peoples. The prophecy says this great wind can not be stopped. The people will be united.

He said it is good that our brother from South America could be with us today.

As we travelled home I felt good inside to think that this Native man, a Mapuche, had travelled such a long distance to speak with our leaders! It was a good day for all of us to feel united with a brother from so far away. Maybe one day I will be able to travel to his country and meet with his people. Last week a Guatemalan Brother came to visit us and the week before that a Mexican Brother was here. I can begin to see the prophecy happening as we meet more of our native brothers. They are good people. It is good.

Carol Cornelius Mohawk

(A special thanks to Ismaelillo for his assistance with this story.)

SHORT NOTES

CHURCH ROCK ... two years later.....

As the second anniversary of the largest radioactive waste spill in the U.S. nears, it is appropriate to call attention to the Church Rock spill and its effects and to the continued seepage of radioactive materials at the mill.

On July 16, 1979, some 94 million gallons of radioactive and toxic mill wastewater and 1100 tons of sand and dirt poured through a 20-foot hole in United Nuclear Corp's tailings impoundment dam near Church Rock, N.M.. Most of the solids deposited in the Rio Puerco wash within a few miles of the dam, but the liquids travelled as far as the Little Colorado River near Holbrook, Arizona, about 125 miles downstream.

Resulting contamination of underground and surface water systems was severe during the first month after the accident; however, long-term contamination has been difficult to assess and the jury is still out on the degree and severity of long term consequences to the environment and human health. Livestock wells near the Indian communities of Lupton and Houck, Arizona, showed elevated radionuclide and chemical levels for nearly a year after the spill. Islated "hot spots" of radioactive materials in surface water and river sediments were discovered west of Gallup and into Arizona more than three months after the accident.

Regulatory officials in New Mexico and Arizona now downplay the long-term extent of potential contamination, saying residual radiation and chemical levels have returned to background. But Arizona officials remain concerned that unexpected elevated contaminant levels in wells near Lupton and Houck nearly a year after the spill indicate that recharge of spill liquids and solids is showing up in Arizona.

In an effort to recoup some of their losses resulting from the spill, some 125 Navajo families filed $12.5 million lawsuits aginst UNC in tribal court in August 1980. UNC officials then filed federal suits contending that the Navajo Tribal Court did not have the authority to hear the cases. A U.S. District Judge recently ruled in the company's favor and granted a preliminary injunction prohibiting the Navajo families from seeking claims before the tribal court.

UNC proposed an out-of-court settlement late last year, but the offer to pay the group of plaintiffs a $25,000 lump sum in exchange for an agreement that UNC was in no way responsible for the spill or negligent in the operation of its tailings facility. The proposal was rejected flatly by the Navajos, who say they are committed to pursuing the lawsuits to the end no matter how long the process takes.

In the meantime, United Nuclear Corp.'s Church Rock mill continues to leak 40,000 to 80,000 gallons of radioactive waste a month into underground aquifers and streams. The attempt of New Mexico state officials to stop this contamination has been farcical; already United Nuclear has been granted six deadline extensions in filing a mill discharge plan acceptable to the state Environmental Improvement Division (EID). EID officials have consistently threatened to shut down the Church Rock mill, only to recant when UNC fails to meet another deadline.

EID director, Tom Baca, met with UNC officials on May 26, and was reportedly satisfied with the efforts the company has made to cooperate with the state. EID and UNC officials will continue to meet to formalize the steps needed for UNC to obtain a groundwater discharge permit. Reportedly UNC will have to move their tailings disposal to a more acceptable site, neutralize the tailings and the acids in the groundwater, and "reclaim" the groundwater aquifer which has been severly contaminated by the continued seepage. Estimates are that it may take five years before these improvements can be made and a discharge permit is issued.

Corporate and government callousness, carelessness and indifference to the Navajos and other surroundng residents that was so manifest in the Church Rock spill remains a continuing fact as radioactive waste from the mill continues to pour out into the environment. Many share the observation that none of the officials seem to care "what happens to a bunch of Indians in New Mexico."

(Excerpted from a longer article by Chris Shuey, published in MT. TAYLOR ALLIANCE NEWSLETTER, Vol 2, Number 3, June 20, 1981.)

SAKOKWENONKWAS RECEIVES ROTHKO CHAPEL AWARD

I am deeply moved by this occassion and grateful for this opportunity to join in this celebration of the distinguished recipients of the Rothko Chapel Awards, especially my friend Sakokwenonkwas - Tom Porter.

Sako, as his friends call him is one of the chiefs of the Mohawk Nation - which is part of the Six Nations Confederacy - the Indian Nation in what is now upstate New York.

I have known Sako since my first efforts practicing law in the field of Indian rights about 10 years ago. At that time, the State of New York had taken him to court to have him evicted from his house and removed from the reservation at Akwesasne. He had violated no law. He and several other were being persecuted for their beliefs and for their allegiance to the traditional Longhouse government of the Mohawks.

That persecution has continued, in greater and lesser degrees, to the present day. Sako's persistent and peaceful efforts to preserve the traditional Longhouse government, and his leadership in working against the abuse and oppression of the Mohawk people led to his indictment on trumped-up charges along with many other Mohawks two years ago. After almost 2 years of resistance, in which Sako played a leading role, and in which he sacrified much, including his own house which was burned. The overwhelming support of the Mohawk people for Sako and the others is now bringing that long struggle to a close.

In honoring Sakokwenonkwas for his courage and self-sacrifice in the years of struggle to bring a measure of truth and a greater degree of freedom and self-government to Akwesasne, we honor not only him but the Mohawk community he represents and the many Mohawk people who have struggled with him.

The Great Law of Peace of the Six Nations Confederacy requires, among other things that a chief be a humble and modest person without personal ambition, that he have patience and strength - a skin seven thumbs thick - to endure criticism and harm, that he be a person with family responsibilities and that he have the wisdom to look seven generations into the future - to care for the children whose faces are still below the surface of the earth, and especially that he be a man of peace and a spiritual man. Sako is all of this in abundance.

A large part of Sako's life has been devoted to seeking and teaching throughout the country, to promote understanding of native ways and foster tolerance and understanding between all peoples. His own personal honesty and sensitivity has made him a wonderful teacher. He has done much to build and perserve native cultures throughout the land.

I'm sure that this recitation of virtue embarrasses my friend a great deal - happily it cannot be avoided.

In conclusion, I want to join with all of you in giving thanks that we are able to come together here and that we have among us, that we have on earth, individuals such as Sakokwenonkwas and the other distinguished recipients of the Rothko Chapel Awards.

(Salutory address given by Robert T. Coulter at this year's Rothko Chapel Award presentations.)

MALISEET NATION RE-AFFIRMS FISHING RIGHTS

Tobique Reserve, New Brunswick -- Wardens from the Canadian Ministry of Fisheries staged a surprise raid against Maliseet Indian fishermen and confiscated several fishing nets on August 18th, only hours after assuring leaders of this reserve that there would be no interference with salmon fishermen this season.

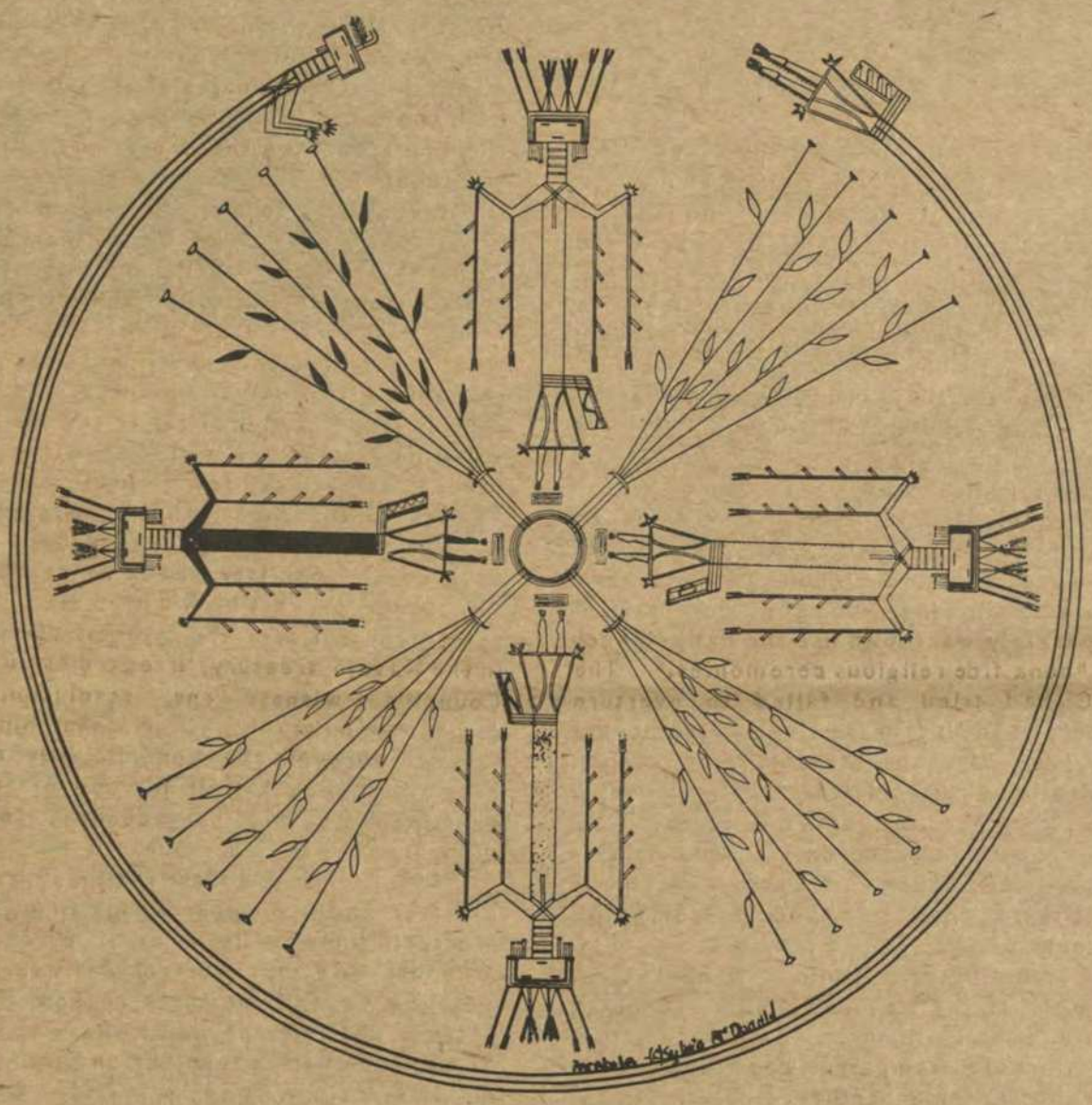
A spokesman for the Maliseet fishermen said that they "plan to continue to exercise their aboriginal rights to hunt and fish and will stand firm in their defense of these rights."

As this issue goes to press, the Maliseet Nation is holding meetings with representatives of the Federal Fisheries Ministry, and is pressing for the return of the lost nets and for firm guarantees against further attacks on their fishermen.

For further information, contact: Councillor Larry Perley, Tobique Reserve, New Brunswick (Tel. 506-273-6612).

THE NAVAJO MINERAL SWINDLE

Wheeling and Dealing on the Reservation



Chief Justice of the Supreme Court Warren Burger, when a member of the Court of Appeals in Washington, D.C., took part in a dramatic and puzzling reversal of his own decision in a very important case despite the lack of any noteworthy change in the facts, evidence, or testimony. The issue was whether Secretary of the Interior Stewart Udall – as legal guardian, overseer, and trustee of American Indians – was vested with the power to fire an attorney in private practice who held a binding contract with the Navajo Tribe, when the governing body of the Tribe, the Navajo Tribal Council, did not wish to get rid of their attorney.

In an August 13, 1964 decision put forth by a three-judge Appellate Court panel, Burger took part in the majority opinion, writing: "We have been shown no basis upon which the Secretary rather than the Tribal Council might declare the contract at an end. **We have discovered no source of power – and none has been cited to us – which vests in the Secretary a predicate for recission by him of his previous approval.. [of the contract."** Earlier in that opinion, Burger concurred with a lower court view that **"The Secretary can point to no statute applicable here which confers upon him any such authority."** [Emphasis added.]

On Sept. 2, 1966, the same case was still bouncing around in the courts and changed again to come on appeal before Burger. By this time, however, he had undergone a change of mind. As a member of another three-judge Appellate Court panel, Burger now wrote:

"The Secretary asserts that his authority to cancel the contract of a general counsel for an Indian tribe by administrative action is inherent in powers delegated to him by Congress. One statute delegates to the Secretary the supervision of the affairs and public business of Indian tribes; another charges him with 'the management of all Indian affairs and of all matters arising out of Indian relations.' We agree with the Government's view of the Secretary's powers under the statutory scheme." [Emphasis added.] Although he previously said there were no such statutes, Burger now managed to dig up two of them to cite in a 180-degree turnabout of his earlier decision.

Norman Littell, the attorney Udall fired, thinks the whole thing, including Burger's flip-flop, was "politics" couched in the guise of sound judicial processes. Indeed, at trial, Udall admitted that he had never done such a thing before – nor had any other Secretary of the Interior.

The untold story of Littell's dismissal certainly looks like politics being used as a tool to cut favored lawyers and companies in on a financial bonanza on the mineral-rich Navajo reservation. Most of the story is contained in a statement Littell presented to the Senate Subcommittee on Indian Affairs, at the request of its former chairman, George McGovern (D.-S.Dak.) It illustrates how public officeholders can get away with interpreting their mandate to their own advantage with reckless disregard for the rights and liberty of others.

Norman Littell had an illustrious legal career. He won a Rhodes Scholarship, then earned a law degree from the University of Washington. From 1939 to 1944, he served as Assistant Attorney General under Pres. Franklin Delano Roosevelt. During his tenure as Assistant Attorney General, Littel first butted heads with a very formidable foe – Lyndon Johnson. the incident seems signifiant, considering that Littel was fired as lawyer for the Navajos by Johnson's Interior Secretary just as Johnson became President.

Standard Oil of California, backed by Johnson, then chairman of the House Subcommittee on Naval Petroleum Resserves, pushed through a contract to exploit the Elk Hills Naval Petroleum Reserve for Standard's private purposes, even though a war was going on. Assistant Attorney General Littell got wind of the deal and declared it "illegal and invalid" under the Teapot Dome decisions of the Harding Administration, which had set aside this oil field for exclusive use by naval vessels in time of war.

The decisions were meant to guarantee the navy its own wartime oil supply without having to depend on the oil companies. Just as Standard and Johnson were ready to toast themselves, Littell's intervention led to the cancellation of the contract. This caused Johnson to write the Attorney General, asking "Who is this man Littell?" According to Littell, 'He [Johnson] never forgot this incident.

Littell set up a private law practice upon leaving government service. He was drawn into the Navajo scenario in 1947 by signing a 10-year contract to be their General Counsel and Claims Attorney. He

THE NAVAJO HIRED A PRIVATE ATTORNEY BECAUSE OF THEIR WELL-FOUNDED DISTRUST AND DISILLUSIONMENT WITH THE BUREAU OF INDIAN AFFAIRS (BIA) IN THE DEPARTMENT OF THE INTERIOR. RAMPANT INCOMPETENCE, INEFFICIENCY, AND OUTRIGHT CORRUPTION IN THE RANKS OF THE BIA HAD IMPRISONED THE NAVAJOS IN A STATE OF ABJECT POVERTY.

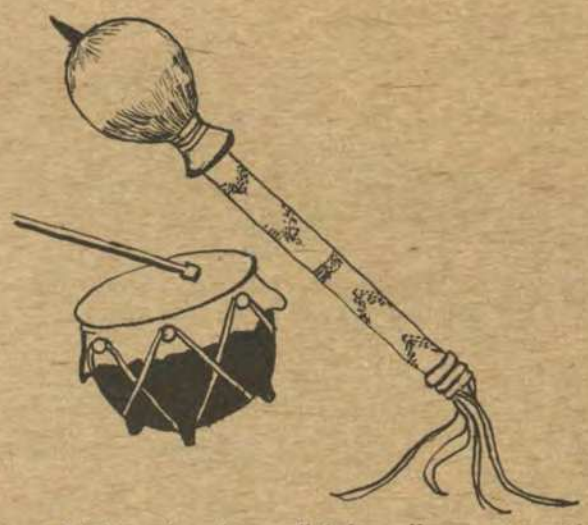
was to receive $5,000 a year for general legal work and 10% of whatever recovery he won for the Tribe in "claims" or land settlement cases. In 1957, the contract was renewed for another 10 years at an annual salary of $35,000, with the 10% claims clause retained as is. Both contracts and several amendments added to them were overwhelmingly approved by the Navajo Tribal Council.

The Navajos hired a private attorney because of their well-founded distrust and disillusionment with the Bureau of Indian Affairs (BIA) in the Department of the Interior. Rampant incompetence, inefficiency, and outright corruption in the ranks of the BIA had imprisoned the Navajos in a state of abject poverty. They are the largest, but poorest, Indian tribe in America. Under the banner of "Lo, the poor Navajo," churches across the land solicited donations of old clothes and food to keep the Navajos going at Christmas time. The Navajo coffer was nearly bare, despite the fact that oil, gas, coal, and uranium deposits on just part of the reservation today are valued as high as $10,000,000,000.

By instituting competitive bidding for mineral leases, Littell got the highest bids known in the continental U.S. for his client. Where royalties had been 12.5% of the mineral value, Littell upped them to 50%. Through his legal efforts, the tribal treasury rose continually and astronomically, topping $80,000,000 at the time of his firing. His work turned the poorest tribe in America into the richest, for which he has been highly praised. For example, John Sirica, recently of Watergate fame and one of the judges who sat on the Littell case, wrote: "The record in this case clearly shows that he would not have been held in very high regard...by the people of the tribe..., if he were not a man of outstanding integrity and character....We are not dealing with the ordinary type of person in this case. We are dealing with an outstanding lawyer."

Udall himself praised Littell on many occasions. Udall's last public statement to that effect came in May, 1962, when he said, "Everyone knows what Norman Littell has done for the Navajos." Nevertheless, what for years had been a constructive and cooperative relationship between Littell and Udall fell apart that summer. Blame can be laid on a succession of events.

First came the ascendancy of Raymond Nakai to chair the Navajo Tribal Council, the 74-member elected body which governs the Tribe. The chairman, the chief executive of the Tribe, is elected by popular vote of Tribal members. Nakai was a Navajo who worked for the army in Flagstaff, Ariz., where he was also a radio station disc-jockey.



Although he didn't live on the reservation, Nakai ran for chairman in March, 1963, and received a plurality of the votes in a hotly contested, three-sided race. At trial, Udall's lawyer stressed that Nakai campaigned on a platform "to get rid of Mr. Littell." However, according to Chet MacRorie, former editor of the Navajo Times, Nakai campaigned on a second, equally important issue--a promise to get peyote, an illicit hallucinogenic drug, legalized on the Navajo reservation. The Native Amercan Church (NAC), with a membership estimated as high as 50,000 and which has a strong following on the reservation, desperately wanted to use the hallucinogen for "bona fide religious ceremonies." The NAC had tried and failed to overturn Federal and Navajo laws outlawing peyote all the way to the Supreme Court. Capitalizing on this desperation, Nakai pledged what the courts refused and, consequently, according to former Councilman Frankie Howard, procurred significant campaign funding from NAC members.

Furthermore, Annie Wauneka, a member of the Navajo Tribal Council, wrote Pres. Johnson in 1964 that questionable campaign contributions to Nakai had been unearthed. As a recipient of the Presidential Medal of Freedom, Wauneka's credibility and integrity were such that her charges deserved looking into. She wrote: "...they [the Interior Department heads] all refused to take any notice whatsoever of the payment from an unknown source to Nakai of $5,000 in cash just before he took office....This is very big money...for a Navajo....It was bad enough to ignore donations to his political campaign from outside of the Reservation . . . by interests not yet fully disclosed...., but surely...Udall should have answered our repeated questions, when Nakai himself refused to answer, as to where this $5,000 in cash came from." Johnson never had the charges investigated.

In a close race for a second term, Nakai was reelected chairman. Once again, fraud was suspected and the Tribal Council requested an investigation. However, the investigation was thwarted when Nakai burned the ballots.

The firing of Littell

Even before his inauguration, Nakai flew to Washington to enlist Udall's help in eliminating Littell. As Judge Sirica noted, "with the cooperation of several collaborators, some of whom were attorneys with an obvious self-interest to pursue in securing lucrative legal positions with the Tribe, Nakai succeeded in gaining the confidence of the Secretary....An old friend of the Secretary [attorney Barry DeRose, Udall's former campaign manager in Arizona] was one of the collaborators.

Nakai asked Udall to suggest a replacement for Littell. Shortly thereafter, Nakai consulted Richard Schifter, whose Washington law firm had close relations with Udall and Johnson. In fact, johnson appointed Schifter to the National Advisory Committee on Indian Affairs and made one of Schifter's partners legal advisor to the American UN delegation.

On the day of Nakai's inauguration, Schifter had a resolution already prepared which would give Nakai total control over the millions of dollars in the Navajo treasury, irregardless of the Council's wishes. The resolution to replace democracy with dictatorship was steered through the Council, only to be rescinded when Littell learned of it and explained its dire consequences to the Council.

Both before and after the inauguration, Schifter and a member of his firm, Allen Wurtzel, showed up on the reservation. Wauneka said that Wurtzel was overheard advising Council members on how to fire Littell. Schifter phoned DeRose to ask if he wanted to work together on setting up a public Navajo Housing Authority. DeRose then showed up on the reservation and tried to persuade the Navajos, particularly Wauneka, that there was good reason to fire Littell. In the course of attempting to convince Wauneka, DeRose suggested that she could get a job with the Housing Authority.

The nine-man Advisory Committee of the Navajo Tribal Council, which Udall himself called Nakai's "stacked body" of yes men, contracted with Schifter and DeRose's law firms, making them $1,000-per-month "consultants" to the Tribe, despite the fact that, by law, only the entire Tribal Council, not the chairman or Advisory Committee, is empowered to select, hire, and fire tribal attorneys. With contract in hand, however, DeRose told Wauneka, "We are going to Wasington. . . . I can contact the Secretary any time just like this [snapping his figers]....This is what we are going to take over there, and Mr. Littell will be terminated."

THE UNTOLD STORY OF ATTORNEY LITTEL'S DISMISSAL (BY CHIEF JUSTICE OF THE SUPREME COURT WARREN BURGER) CERTAINLY LOOKS LIKE POLITICS BEING USED AS A TOOL TO CUT FAVORED LAWYERS AND COMPANIES IN ON A FINANCIAL BONANZA ON THE MINERAL-RICH NAVAJO RESERVATION.

'Listen, we could get burned'

Meanwhile, Littell's legal budget for the next year was overwhelmingly approved by the Council wth the personal endoresement of Nakai, who assured the Council that he would cooperate with Littell. A month later, however, Nakai, DeRose, and Schifter met Udall to map out strategy for getting rid of Littell. When Udall suggested that it be brought before the Council, DeRose said that that was fruitless, because most of the Council wanted to keep Littell.

Wauneka's letter to Pres. Johnson described these events, then asked: "The Secretary ... refused to answer questions as to who paid DeRose, Schifter and ... Wurtzel... These lawyers spent a lot of time and travel expense money while they were in and out of the Reservation attending meetings with Nakai, the ... Advisory Committee ... and other representatives of Udall... How were they paid?" To this day, she doesn't know.

A plan to oust Littell was put into effect. DeRose drafted a resolution for the Advisory Committee, asking Udall to investigate Littell's "irregularities." Udall turned the investigation over to his Interior Department Solicitor, who prepared a memorandum on his findings. The memo pointed out that only the Tribal Council could terminate Littell. "To detour this legal roadblock, the Secretary decided...that he himself should remove Littell," wrote Sirica. Udall tried to do so in a most curious way, by urging Littell to resign only as General Counsel, but to stay on as Claims Attorney. Udall called this a "constructive solution."

Considering that Udall maintained Littell had breeched his Navajo contract and trust by taking more money from them than he was entitled to, it is indeed strange that Udall would be willing to let Littell continue representing the Navajos in any capacity--unless, of course, the charges were without substance and were merely a way to phase Littell out in stages, while giving cronies of Nakai and Udall a foothold in Navajo legal business. The Navajos were, after all, a big enough client to keep more than one attorney happy.

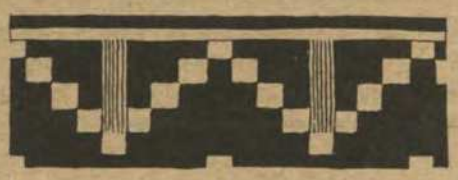
Littell refused and Udall directed his Solicitor to try to find a way for him to oust Littell without having to deal with the Council. The resultant memoranda recommended precisely that. Thus, on Nov. 1, 1963, Udall wrote Littell to say, "Your personal performance under the Attorney Contract of the Navajo Tribe...is hereby suspended."

The next morning, a task force of Interior Department employees headed by Udall's special investigator, lawyer Stanley Zimmerman, carried out an illegal search and seizure of Navajo Tribal Headquarters in Arizona. Trucks were backed up to the Administration Building and entire file drawers from the Record Room were lifted bodily into a truck. The trucks drove to Nakai's home, where eyewitnesses said papers were scattered all over the living room, with the task force pouring over them. The safe was professionally opened. Among documents taken were the Executive Secretary's personal papers, including his checkbooks, tax returns, and automobile registrations. Many papers, all private property, have never been returned.

Chester Wilson, one of the raiders, said, "it was carried out under the supervision of Secretary Udall's office. Instructions were given to us strictly from the Washington level." Udall later admitted to the **Washington Post** that "we kind of mishandled that."

The purpose of a raid which would turn Nixon's plumbers green with envy has never been explained. "They even took the Bible," the woman recordkeeper told the Senate Constitutional Rights Subc ommittee. The raiders refused to identify themselves and ordered her around rudely.

All of this was done without a warrant!



THE SIRICA TRIAL

Still, a man who stood up to LBJ and Standard Oil, as Littell did in World War II, was obviously no patsy. Littell immediately sued Udall to get his job back, and won. A preliminary injunction was issued on Nov. 29, 1963, ordering Udall not to suspend Littell or interfere with his performance of duties as Navajo attorney.

Udall appealed the decision, but lost. The Court of Appeals upheld the injunction. Here is where Warren Burger first entered the picture, one of the Appellate Judges ruling in Littell's favor.

Nevertheless, Littell's opponents had a mission. They behaved as if the injunction were penned in disappearing ink. When Littell flew to a Tribal Council meeting to resume serving his client, an unusually large number of people showed up, including Zimmerman and Harold Mott, a Washington lawyer. Because Mott didn't work for Interior, Councilmen asked who he was. At first, Nakai wouldn't say. Later, he said Mott was his personal attorney. Mott's true purpose in being there was to help Nakai avoid discussing Littell's contract, something the Council wished to do.

The next day, Nakai ordered Littell to leave the meeting and told the sergeant-at-arms to forcibly evict him if he didn't go peacefully. Littell left as Interior Department people sat silently by. Clearly, throwing Littell out violated the court's injunction, as it interfered with the performance of his duties as Navajo attorney. Interior's silence, then, was tantamount to approval of an act in contempt of court.

The following day, the same thing happened - Nakai ejected Littell under threat of violence. This time, Zimmerman went beyond being a silent witness and remarked to Wauneka, "Now you see that the Secretary of the Interior cannot be pushed around." Littell then asked the Court to hold Udall and Zimmerman in contempt for conspiring in a prearranged fashion to violate the injunction. He also wanted the temporary injunction made permanent. The case was assigned to Judge John Sirica.

Udall admitted sending Zimmerman to Arizona to observe the meeting, but it couldn't be conclusively shown at the time of the contempt hearing that Udall instructed Zimmerman beforehand to get Littell kicked out. Consequently, Sirica did not hold Udall in contempt.

Only later, at the trial for a permanent injunction, did Sirica learn that it had been Udall's stated official policy starting a month prior to this meeting to get Littell out. That revelation made Sirica amend his earier opinion to read: "If all of the evidence ... had been available ... at the contempt proceeding, the conclusion reached ... undoubtedly would have been different."

The two-week-long trial was held in May, 1965. Sirica painstakingly examined every scrap of evidence. Everyone had his say - everyone, that is, except Nakai, who didn't show up. His lawyer told Sirica Nakai would come and say what he had to say only if he could be excused from being cross-examined by Littell's attorney. While everyone else's testimony would have to stand up to cross-examination, Nakai demanded special treatment. Nakai's demand led Sirica to write, "his failure to apear ... indicated to the Court that maybe he did some of the things that it is alleged that he did."

Wauneka, on the other hand, appeared and impressed Sirica quite differently. Sirica wrote: "The wisdom, honest, sincerity and judgment manifested by her while she was testifying ... has greatly impressed the Court ... I don't believe I have ever heard or seen a witness on the stand who made a better impression on the Court than that lady." Zimmerman was so discredited that he broke down and cried before Sirica.

Udall's strongest argument was the Littell used the Tribe's staff lawyers, who were on set annual salaries, to work on claims cases for which Littell had contracted to supply all legal services free of charge under the guarantee that he'd get 10% of whatever sum he won for the Navajos. By doing so, Littell made the Tribe pay the cost of preparing and litigating claims cases, an expense he personally was supposed to bear, according to the terms of his contract. Only when he carried a case through to completion would he recoup those out-of-pocket expenses (and more) by getting 10% of the winnings.

WKbook/cpf

In short, Udall argued, Littell's practice of using staff attorneys on claims work was not only explicitly prohibited by the contract, but, in fact, constituted a siphoning off of funds from the Tribal treasury into Littell's own pocket. Because Littell breached the contract, Udall claimed he had to fire him.

The question that immediately springs to mind is, if Udall honestly felt he had to fire Littell for cheating the Indians out of their money on **claims** work, why did he first try to take Littell off of **general counsel** cases, yet let him remain on **claims** cases? Shouldn't it have been the other way around? That is, if Littell really was cheating on claims cases, shouldn't those have been the first cases taken away from him?

Moreover, as Sirica pointed out, "It should be remembered that all of these allegations of misconduct are connected with activities originally approved by the Secretary or his predecessor when they were before them for scrutiny ... He is now ... contending that the 'unconscionable' acts which he approved ... constitute 'unclean hands' [on Littell's part] ... From all of the evidence, the Court cannot find any act of intentional misconduct or inexcusable negligence ... [by] Mr. Littell."

Why would one of America's most competent and fair-minded judges be so understanding of a lawyer's not following a contract to the letter? First, because, as Sirica found, Navajos were shorthanded when it came to the size of their legal staff. On top of that, young lawyers coming to work for them were poorly trained in Indian law. Consequently, Littel had to take some time away from his own work to educate them on the subject. So, to make the best out of the difficult situation he was strapped with, Littell sometimes condoned the use of staff lawyers on claims work. It was not done for personal gain, but to give the client representation wherever it was most needed. Displaying good common sense, Sirica found "no breach of ethics in this diversion of legal assistance ... circumstances made such diversion unavoidable. There has been no harm done to the Tribe."

How could Sirica be so certain Littell hadn't cheated the Navajos out of money? – because, Sirica found, "Littell has not collected a penny of compensation as yet from claims cases." Over nearly two decades of representing the Navajos, Littell had successfully carried to conclusion various claims cases, yet had never accepted a red cent, even though he had lots of money coming to him as his 10% of the winnings ($1,000,000 in one case alone).

Sirica concluded that "the testimony and the exhibits ... does not contain a single complaint at any time by the ... Secretary, by Solicitor Barry, by Chairman Nakai, ... by Barry DeRose, or anyone else, of any lack of professional competence on ... [Littell's] part in any matter in the course of his representation of the Navajo Tribe ... over the seventeen and a half years of hard work and faithful service in behalf of the Navajos, and after having contributed so much to helping the Tribe advance from a position of poverty to that of great wealth, was entitled to better treatment and consideration by those in a position of authority than he received. And the Court can only characterize that treatment .. as brutal and shabby."

Sirica made the temorary injunction permanent and Udall appealed. The case went to a three-judge Appellate Court panel. Warren Burger, one of the trio, was sitting on the case for the second time.

On Sept 2, 1966, this Appellate Court reversed Judge Sirica. They wrote, "His [Littell's] use of salaried Tribal employees to perform his work on claims cases ... was a clear violation of the contract; ... it was an affirmative use – or misuse – of assets of the tribe for his own interests."

Apparently, the common-sense notion never crossed the minds of Burger and his two colleagues that Littell's claims practice had won lots of money for his client while he had never accepted a penny in return. Of course, the biggest surprise was Burger signing an opinion asserting that the law gave Udall the right to fire Littell against the Council's wishes, whereas Burger's earlier opinion had been that no such law existed.

It was Littell's turn to appeal; but, as it does in the great majority of cases reaching its doorstep, the Supreme Court declined to hear the case.

At a court hearing soon after this, Sirica remarked, " I think I was right in my decision ... I still think I was right in the conclusions I reached." Nevertheless, Littell was forced to resign.

NAVAJO AFFAIRS SINCE LITTEL'S OUSTER

This story is worth telling today because its underlying theme – how far should Government authority be allowed to reach into and dictate the private affairs of citizens? – is a hotly debated contemporary issue. Morover, many of the individuals involved are still in the news and, because enough time has now elapsed since Udall pushed out Littell, it is possible to assess whether the Navajos have generally profited or lost from the act.

With Littell out, suspect legal and business ventures invaded Navajoland. Take peyote, for instance, an illegal drug resembling LSD. In 1967, during the tenures of Nakai, Udall, and Johnson, the Food and Drug Administration legalized peyote "for bona fide religious purposes." in the Native American Church (NAC), whose members live in and around the Navajo reservation. In sharp contrast to policy in Navajoland, the Federal government denied the non-Navajo Church of the Awakening's request to use peyote for religious purposes. The legal distinction allowing peyote to one while denying it to the other is hairling.

The government's case against the Church of the Awakening stressed peyote's potential dangers – premature aging, decreased life span, cancer, toxicity, dangers to offspring, psychosis, suicide, and violence; but wouldn't these same side effects befall NAC members? Was this queer Federal ruling influenced by Nakai's need for NAC backing to stay in power? Also thought-provoking is a 1968 Littell letter to a Senate subcommittee which reads: "Dr. Goddard [the FDA head] ... told me .. that ... Nakai ... is the head of the Native American Church for all areas west of Albuquerque ... with certain cooperating Councilmen reaping the [peyote] profits."

Lawyers and companies close to Nakai, Udall, or Johnson moved in to capitalize on Navajo business. DeRose and Schifter have been mentioned. According to Littell, Cohn and Marks, LBJ's TV attorneys, sent a $3,000 bill to the Navajos. Nakai approved payment, but the Navajo Director of Public Services disapproved payment because the Tribal Council hadn't employed them.

Kerr-McGee, the oil-uranium giant, is another example. Until he died, its president, Sen. Robert Kerr (D.-Okla.), was close to LBJ. When Littell was on the job, Kerr-McGee tried to get a mineral lease on the reservation without having to bid against other companies. Littell claimed that Clark Clifford, then Kerr-McGee's lawyer, who was close to LBJ and later became a member of Johnson's Cabinet, said to him: "Norman, Kerr-McGee is very appreciative of, and grateful to those who cooperate with the company." Littell said that Clifford went on to elaborate on this and his meaning became unmistakable. Clifford emphasized, for instance, how much stock in the company Kerr-McGee had given him.

Littell refused Clifford's "offer", for, without the free enterprise of competitive bidding, Navajos would get cheated by getting much less than the going market price on mineral leases. With Littell fired, however, Kerr-McGee got the lease sans bids. The company developed the first great oil field in Arizona on this land.

"There is overwhelming evidence of President Johnson's personal knowledge of Navajo affairs," reads a Littell statement to a Senate subcommittee. "President Johnson sent a personal telegram of congratulations to the Navajos when the Tribe received from Kerr-McGee ... a check ... for uranium interests."

Graft and corruption rock Navajo affairs right up to the present. During the administration of chairman Peter MacDonald, Nakai's successor, charges surfaced of misappropriation of funds, payoffs, kickbacks, and conflicts of interest. So great is the corruption that, since 1975, it has taken three grand juries and the General Accounting Office to check it out.

A prime example is the Navajo Housing Authority (NHA) scandal. HUD gave the NHA funds to build low-cost housing on the reservation. Somehow, $13,000,000 disappeared when the NHA gave the funds to American Funding, a Los Angeles investment concern, for investment purposes. NHA didn't even ask American for a receipt or where the money would be invested.

It was later learned that the American Funding vice president who coaxed the NHA officials into this sweet deal had spent two yeas in prison for grand theft and forgery. Moreover, the guilty NHA officials had each received a $50,000 "personal loan" from American. (The check bounced!)

Perhaps the best barometer of the downturn in Navajo affairs is to compare Tribal legal expenses and treasury size today to what they were when Littell was fired. In 1963, Littell was paid $35,000 and the Tribal treasury was $85,000,000. By 1975, the treasury had plunged to $33,300,000. In 1976, Navajo legal expenses totaled $380,000. Of this amount, $320,000 went to George Vlassis, a private attorney in Arizona, while $60,000 went to a Washington law firm that should come as no surprise - Richard Schifter's.

In May, 1976, **The New York Times** reported that "Some Councilmen fear that the Tribe is on the verge of bankruptcy." Today, Navajos - with $10,000,000,000 in minerals on their land - have a paltry per capita income of $900!

by Mark Miller, Judith Miller, and Jonathan Moreno

Mark and Judith Miller are journalists whose work has appeared in Oui; Ms, New York Magazine, The Humanist, and Politics Today. Dr. Moreno is associate professor of philosophy, George Washington University, Washington, D.C.

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CROW DECISION

Indian Law Resource Center

The Supreme Court: new cause for alarm

It has now become clear that the time for optimism about Indian rights law has ended. The decisions fo the Supreme Court over the past three years indicate that the Court is systematically doing away with many of the principles which have helped to protect the rights of Indian nations or tribes for the past two centuries. Gone are the confident days of the past decade when there was much buoyant talk about the vindication of Indian rights in the federal courts.

Instead we are seeing a truly alarming trend. The Supreme Court has repeatedly ignored, rejected or overruled long-established principles of federal Indian law, has announced new rules cutting back sharply the powers of Indian governments, has tended to uphold state powers at the expense of Indian governments, and has still further enhanced the almost limitless power of the federal government over Indians. Unless the Supreme Court changes direction, we may experience yet another era like the allotment and termination eras in which massive efforts are made to destroy Indian rights in general.

Just a few years ago the national press featured "Indians on the Lawpath" winning their rights in the federal courts. But as the Supreme Court of Chief Justice Warren Burger continues to undermine the rights of Indians, the new symbol of the persistent Indian demands for respect of their rights may be marches and direct actions such as that of the defiant Crow people wading into the Big Horn River which flows through Crow territory, guaranteed by treaty to the Crow people for their "absolute and undisturbed use." This Crow march of April 16, 1981 was called to reaffirm Crow ownership of the Big Horn River and to protest the March 1981 decision of the United States Supreme Court in Montana v. United States.

That decision declared that the Big Horn River where it flows through the Crow Reservation is owned by the State of Montana rather than by the Crows who have been thought to own that portion of the river for at least the past 400 years. The decision has sent a shock wave through Indian country. Many Indian leaders and Indian rights supporters are convinced that this latest pronouncement of the Supreme Court is another bald taking of Indian property. As with all prior federal confiscations of Indian rights, this taking of a part of Indian territory by the United States Government was accomplished in the name of law. Unlike some other federal takings, this one was carried out by the judicial branch instead of the legislative or executive arms of the United States Government.

In its decision, the Supreme Court told the dismayed and angry Crow Tribe that its "trustee" , the United States, had given a Crow river to Montana. The Court also denied the Crows the power to police much of the hunting and fishing on the Crow reservation. This loss of territorial and police powers threatens many other Indian communities as well.

But the Crow case is not the first shock wave created by the Supreme Court. In 1978, there came the shock of Oliphant v. Suquamish, which denied Indian nations and tribes the most basic jurisdictional right to police their own Indian communities. Because of Oliphant, Indian reservations became the only communities in the entire country which were forbidden to bring to trial outsiders who endanger their members by drunken reckless driving, by assaults on their police, or by other criminal acts. The Supreme Court puported to strip Indians of this jurisdiction and transferred police powers to neighboring non-Indian courts which non- Indian judges and juries, a decision which impliedly finds that Indians are not able or willing to be fair and just to non-Indians accused of crimes against the Indian community.

In this manner the Burger Court had been rewriting much of Indian Law. *Until recently it was well established in United States law that Indian reservattions of land Indian governmental rights are not something given by or delegated from the United States but are inherent rights "reserved" by the Indian peoples themselves.* Many Supreme Court decisions had honored this principle. But in the last few years this fundamental underprinting of Indian-federal relations has been seriously eroded. In Oliphant, in the Crow case, and other decisions, the Supreme Court has signaled that it is inclined to severely restrict Indian sovereign rights.

One of the new rules announced by the Court is that inherent powers of Indian tribes or nations will be allowed to stand under United States law only if they "would not be inconsistent with the overriding interests of National Government" and only if the Indian governments have not been "divested" of such rights "by necessary implication of their dependent status." This vague new rule makes it far easier for the federal government to take away or ignore Indian rights because it lets the federal courts decide what powers have been taken away by implication and what powers are inconsistent with the interests of the United States.

The case of Washington v. Confederated Tribes of the Colville Indian Reservation(1980) shows how this amorphous rule can be used to deny Indian rights. Applying the new rule can be used to deny Indian rights. Applying the new rule in the Colville case, the Supreme Court permitted the State of Washington to extend broad State taxing authority into the Colville reservation and thereby destroy the thriving smokeshop industry which had become the economic mainstay of that Indian community. The same vague standards appear in United States v. Wheeler (1978) in which Indian sovereignty is again damned with faint praise and where federal criminal jurisdiction over Indian reservations is strongly reaffirmed.

It appears that the Supreme Court is bent on treating Indian governments as some new kind of federal municipalities whose powers flow exclusively from or exist only at the grace of the federal government. This "hand-out" theory of Indian sovereignty--in which Congress conveys or extinguishes Indian powers at its whim--leaves Indian governments totally subject to political power plays in Washington. The raw political power over Indian held by the federal government is underscored in a 1978 decision of the Supreme Court which includes this sobering statement: "Congress has plenary authority to limit, modify or eliminate the powers of local self-government which the tribes otherwise posess." *In short, termination is "legal" in the 1980's just as it was in the 1950's. To the present Supreme Court, Indian sovereignty exists only by the grace of Congress* Ironically, this reaffirmation of termination powers is part of the most favorable Supreme Court Indian rights ruling of the past five years, Santa Clara Pueble v. Martinez (1978), a case which upheld the right of Indian peoples to determine their own membership but which pointedly reminded Indian govern ments that they had such a sovereign right only as long as Congress did not take it away.

In this setting, the Indian victory in the Washington fishing rights case, Washington v. Washington State Commercial Passenger Fishing Vessel Assn. (1979), seems to be insecure and subject to political repeal, for Congress may, with its "plenary power," do as it wishes with the Northwest Tribes. Out-right abrogation of the treaty rights on which the Indian victory was built is a definite, "legal possiblility". The 1981 bill to enact a "Steel head Trout Protection Act" (S. 874) is just such a political effort to abrogate treaty fishing rights. The fact that such a bill can actually threaten Indian treaty rights which have been upheld by the federal courts is testimony to the failure of the Supreme Court to provide firm legal protection for Indians.

Several other recent Supreme Court decisions also show the Supreme Court's alarming direction. In United States v. Mitchell (1980), the Court ruled that the United States cannot be sued for damages for wrong-doing as trustee for tribes unless some federal statute or regulation expressly make the federal government liable. A trustee which cannot be held responsible for wrong-doing to the beneficiary is, in truth, no trustee at all. Tostake another example, in the Black HIlls case last year, the United States v. Sioux Nation, the Court took the occasion to again note with approval the power of the United States to take aboriginal Indian land witnout due process or compensation. This power to take property without any constitutional restriction applies to no one but Indians.

As it becomes increasingly clear that the Supreme Court is prepared to ignore or put an end to legal doctrines which have protected Indian rights, we may expect to see new strategies developed by Indian governments. Strategies which leave important Indian interests in the hands of the Supreme Court are likely to appear increasingly foolish. At present, we cannot expect, much less rely upon, the Supreme Court to follow earlier decisions which have since the founding of the United States given at least some legal protection to the right of Indian self-government, Indian rights to land and water, and other basic rights.

We may expect to see more active resistance to Supreme Court decisions which are seen as fundamentally unjust. The reaction of the Crow people for example stands in contrast to the generally quiet acceptance which met the Oliphant decision a few years ago. Resistance to adverse Supreme Court decisions may take the form of legal actions to avoid, limit, or under cut the Court's decision, or it may tkae the form of active political resistance such as seeking corrective legislation from Congress, or it may take the form of direct political actions to secure the interests that the Indian people feel to be indispensable. Another development that we may expect is increasing resort to international procedures such as filing complaints with the United Nations or with the Inter-American Commission on Human Rights. Already Indian governments have begun to take such steps, and some Crow leaders are talking publicly about raising the Crow case at the International level.

Violating a long string of precedents on treaty interpretation, the Supreme Court ruled that the 1868 Treaty of Fort Laramie would not be interpreted the way the Indians understood it but would be interpreted to the advantage of the non-Indian citizens of Montana. Since the word "rivers" is not found in the treaty, the Court said that the rivers flowing through the reservation were not guaranteed as part of Crow territory.

Using almost laughable reasoning, the Supreme Court ruled that the Crow Nation did not own the Big Horn River because the United States had never conveyed the title to the river to them. The United States, therefore, retained that title which, by a legal presumption, was passed to the State of Montana when the State was later created. There is not one word about how the United States supposedly got "trust title" to that river in the first place. It appears that the Crow Tribe's own lawyers had conceded that the United States acquired such trust title at some unspecified time. The Court seized upon this concession that the United States held title and reasoned that the Crow did not own the river unless the United States conveyed it to them.

By turning history and law upside down in this way, the Supreme Court ignored the legal principles settled since John Marshall was Chief Justice in the early 1800's, that aboriginal Crow territory and its rivers are retained by the Crow Nation unless and until the Crow Nation cedes them to the United States. Crow territory and all of its rivers and resources have been owned by the Crow Nation since long before the nomadic white citizens of the United States roamed west of the Mississippi into Indian country.

A very healthy development which may come as the result of decisions like the Crow case is that Indian governments may begin exercising more strict supervision over their attorneys in order to be sure that their attorneys are actually arguing for the position which the tribe or nation has taken. The actions taken by the Oglala Sioux Tribe in the wake of the Black Hills decision last year may be an indication of what other tribes will do. The Tribe roundly repudiated the work of the attorney who claimed to represent them in that case seeking money damages only and directed one of their own Sioux attorneys to proceed with a claim of actual ownership of the Black Hills.

It may be that the disastrous recent decisions of the Supreme Court will cause a fundamental reexamination of the kinds of arguments that have been made by Indian rights attorneys in past years. For example, the danger of conceding that the United States somehow owns the underlying title to Indian land is growing more obvious. Perhaps this reexamination will lead to greater insistence by Indian governments that their attorneys assert positively that Indians indeed own Indian land and Indian rivers, a proposition that should not be as controver sial today as it was in John Marshall's time.

Thus, we may find that this very dangerous trend of the Supreme Court is met by Indian governments assuming far greater control over their own legal affairs and over their attorneys in particular. It may lead toward a more cautious and realistic approach to the United States' courts and United States' legal system and toward greater reliance on other kinds of actions to win and protect Indian rights and resources.

Custer's Revenge

Interior Secretary WATT against No Growth Extremists

By Mike Garitty

It is fair to say that besides Secretary of State General Haig, the most dangerous man on the Reagan Cabinet is 42 year-old Interior Secretary James G. Watt's task given him by Big Oil is to secure the 770 million acres of public lands under the control of the Interior Department for exploitation and development whenever and wherever Exxon, Shell, Texaco, Mobil and the rest want. Watt believes that "no growth extremists" have captured Interior during the last few administrations with the result being that Interior has overstepped its authority by trying to halt exploration for oil, gas and uranium and the clear–cutting of timber on public lands. Now this may come as a surprise to those of you who have been watching the four-corners area devoured by drag–lines or the Overthrust Belt looted and raped by corporate exploration crews, but Watt swears it's all true "No growth extremists" is how Watt describes anyone with a modicum of respect for Mother Earth and the riches she gives us. It allows him to lump together the Sierra Club, World Wildlife Fund and the Environmental Defense Fund with the bureaucrats at the Bureau of Land Management, Environmental Protection Agency, and the Occupational Safety and Health Administration. It would be funny if the stakes weren't so high.

In a speech in 1977 Watt commented on what he saw as the result of more than a decade of awakening environmental awareness on the part of a large segment of the American people.

The emphasis of all these (public interest) groups is to work toward judicial decisions restricting economic growth, blocking freedom of location, redistributing wealth from the productive to the unproductive, hindering national defense and substituting government for individual decision making.

During Watt's confirmation hearings in Washington, he was asked whether he favored preserving wilderness areas for the benefit of "future generations." His answer astounded the Congressmen, "I do not know how many future generations we can count on before the Lord returns" is what the new U.S. Interior Secretary told his questioners.

Watt speaks of a "crusade" and "a new beginning" as his department turns around the way it administer s the countries' resources. He recently told a conference of concessionaires operating in the national park system that "I make a lot of mistakes because I make lots of decisions. But we're in a hurry, and we're willing to take risks." He's in a hurry and he's willing to take risks. That does not bode well for the open spaces of this nation. He argues that "conservation is not the blind locking away of huge areas and their natural recources because of emotional appeals." Instead he promises to "balance competing interests" to bring about "orderly development" and halt "suffocating overregulation" by Washington.

Watt's appointment goes against the pattern of the last few administrations, which has been to award the job of Secretary of Interior to a western governor who to a greater or lesser extent would act as a caretaker of corporate interests, but who, at the same time was capable of some independent thought. But now all that has changed. Interior Secretary Watt is not of the same ilk as Cecil Andrus or Wally Hickel, he's in a whole different league. While Andrus and Hickel had occasional bright spots, Watt is going to be taking care of the corporation business while he's at Interior and that is all that he'll be doing. His past employment tells all there is to tell. He's just a hired gun.

Watt is a lawyer. Before coming to Interior, he was head of what the media has been calling 'a conservative public interest law firm" known as the Mountain States Legal Foundation (MSLF).

Watt graduated from the University of Wyoming Law School in 1962 and shortly thereafter began a long career on the public dole as chief aide to former Wyoming Senator Milward Simpson (R–Wyo). He left that job in 1966 to become natural resource lobbyist for the US Chamber of Commerce where he stayed until 1969 when he joined Nixon's Interior Dept. as Deputy Assistant Secretary of Water and Power Resources. He stayed at that post until 1972 when he became director of the old Bureau of Outdoor Recreation. In 1975, Jerry Ford appointed him to a seat on the defunct Federal Power Commission, where he helped engineer a price rise or "reregulation" of natural gas prices that allowed newly discovered gas to go from 52 cents per thousand cubic feet to $1.45. Watt considered this government grant to the oil companies to be an example of the mythical "free market" at work to increase natural gas production. Watt will undoubtedly push to remove all price controls on natural gas as soon as he thinks he can get away with it.

In 1977, Watt got down seriously to the job of doing the bidding of the energy exploiting corporations. That year he was hand–picked by Joseph Coors, the para–military prince of Coors beer, Karl Eller, a conservative media magnate from Phoenix, and former Congressman Wayne Aspinall, to head a corporate front called the Mountain States Legal Foundation. Coors sits as Chairman of the Board of MSLF.

The MSLF is one of six regional legal centers set up around the country by the parent organization, the National Legal Center for the Public Interest. The others are the Capital Legal Foundation in D.C., the Mid–American Legal Foundation in Chicago, and the Great Plains, Mid–Atlantic and Southeastern Legal Foundations. No matter what the name or where they are located they all share the same mission of attacking any and all federal regulation of private industry.

55 white males sit on the MSLF Board of Directors and Board of Litigation. They constitute the most wealthy and farthest right of western business interests. Some of those represented, in addition to Eller, Aspinall and Coors, whose company is now expanding into coal and gas development, are James E. Bruce, the head of Idaho Power Company, ex-Wyoming Governor and Secretary of the Interior, Stan Hathaway, David True of True Oil Company, Norman Iawrenson of Burlington Northern Railroad, two officers of Boise Cascade, an executive from the Pacific Railroad, various independent oilmen, and the vice-president of Kennecott Minerals. Just a sampling of those contributors of over $500 to this "public interest" law firm shows just which public Watt and his fellow MSLF attorneys are interested in serving :

Amax, Inc.
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Burlington Northern
Bunker Hill Corp.
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First National Bank of Arizona
Gulf Resources & Chemical Corp.
Harrah's
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Kemmerer Coal Co.
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Occidental Oil Shale
Salt River Project
Sears, Roebuck & Co.
Shell Oil Co.
Sierra Pacific Power Co.
Stauffer Chemical Co.
Teton Exploration Drilling Co.
Tri-State Generation & Trans.
True Oil Co.
Utah Power & Light
Wold Nuclear Co.
Wyoming Machinery Co.

Foundations:
Adolph Coors Coundation
Scaife Family Charitable Trusts
Amoco Foundation
Marathon Oil Foundation
John F. Long Foundation

Watt's public interest law firm has direct financial links to some of the nation's worst polluters and major violators of what few workers' health and safety standards there are.

MSLF has taken up the cause of the energy companies in a suit filed against the Interior Dept. itself over RARE II/wilderness designations. It has sided with mining interests to resolve questions dealing with uranium mining on state lands, and large cattle ranches in an attempt to secure grazing rights in the Rio Puerco area of New Mexico. It has supported agribusiness in opposing the Arizona Farm Workers and water development interests in suits challenging salinity standards and encouraging big development projects. *The Nation* reported earlier this year that Watt has fought the Pyramid Lake Paiutes in a Nevada water rights case and has explored the possibility of making MSLF a clearinghouse for anti–Indian legal action around issues such as sovereignty, severance taxes, pollution control programs and access to Indian lands by energy companies and other business. Wonder what Peter McDonald and CERT are going to do with Watt.

Uranium Boom In Saskatchewan

A uranium mining boom is currently taking place in Northern Saskatchewan -- at the expense of the people and the land. Existing mines are rapidly expanding and several new ones are under construction. Both the federal and provincial governments maintain partial, and in some cases, complete mine ownership. A 1975 revision of the Saskatchewan Mineral Resources Act requires all new exploration and mining projects to offer up to 50% participation to the proviincal government-owned Saskatchewan Mineral Development Corporation (SMDC). The Saskatchewan government is now involved in almost every major uranium development in the province.

Uranium mining is Saskatchewan takes the form of open pit and underground mines. Once the ore is taken out of the ground it is processed in a mill, where it is crushed, ground down to a fine sand and reacted with chemicals to extract the uranium. The sought after uranium makes up only a small percentage of the ore. The vast majority of all the rock that goes into a uranium mill comes out the other end as waste. These wastes remain radioactive for thousands of years and there is no known way of rendering them harmless.

At Uranium City in Northern Saskatchewan city streets, homes and the local high school (Candu High) have been built on radioactive mill wastes. In 1977 radiation levels in the school were 60 times higher than the limit set by the government. In an attempt to solve the problem, a venting system was installed in the school. The vents designed to decontaminate the school now release contaminants to the students' school ground.

Liquid wastes have a greater impact on the surrounding environment than solid wastes. Twice as much liquid wastes are produced and they are easly carried great distances via streams, rivers and lakes. Contaminated water from the uranium mines in the Uranium City area flows into Lake Athabasca. From there contaminants are able to flow down the Slave River and into the MacKenzie River which flows into the Arctic Ocean. In the late 1950's and early 1960's millions of tons of solid and liquid wastes were dumped directly into Lake Athabasca. Government water samples from Beaverlodge Lake (which drains into Lake Athabasca) show that levels of uranium and radium are so high that people should not drink the water. As well, streams that drain into Beaverlodge Lake contain concentrations of elements such as copper and lead, which kill fish.

TWO HEADED MOOSE FETUS

Aquatic communities are completely eradicated in the immediate vicinity of the mines. Eye deformities in fish, sometimes resulting in complete blindness, are common downstream from the Uranium City mining area. Near the Rabbit Lake mine, two cases have been reported of a two-headed moose fetus.

It has been suggested that the correlation between uranium mining and the rapid deterioration of surrounding ecosystems is purely coincidental. However, it is not a coincidence that the major food source of the moose -- aquatic plants such as millfoil, water lilly and sedge -- concentrate levels of radioactivity to thousands of times the surrounding water value.

The government is using inquires ano public meetings to justify its destruction of the land and manipulation of the peoples. The government has always asked how, not if, uranium mining should proceed. The people of Saskatchewan have never been given a choice in the matter.

The road map of Northern Saskatchewan shows that all the main roads lead directly to uranium mines. This is one example of how the historical process of colonialism is continuing today. When the European colonialists went to Africa one of the first things they did was build roads from the ocean ports to the source they desired. The Europeans took the land by force and murdered or made slaves of the Africans.

In South Africa today, the Africans are forced to live on "Ban Too Stands", which are the same as reservations and reserves in North America The South African Ban Too Reorganization Act is a carbon copy of the Indian Reorganization Act in the U.S. and the Indian Act in Canada This colonial tactic was used as far back as the Roman Empire. The colonialists enter a village and hold elections, without consulting the traditional leadership. Thus the few people who can be bribed or otherwise cajoled into voting are instrumental in the creation of a local elite, which then serves an entrepreneurial role in the colonization of the indigenous population

The Canadian Indian Act of 1924 brought on the election of a new Indian Government, which totally dominated the people it was supposed to represent. The Indian Act was billed as a proposal for Indian self-government. Since Indian self-goverment had already been in existence for countless generations, the "savages" were notably unimpressed.

The Indian Act served to divide the Indian people and make it easier to expropriate land. It is not the way of the Indian to go into a booth and cast a ballot. Indian traditional governments are chosen on the basis of what they have done for the people, not what they promise to do.

That the process of colonialism in Northern Saskatchewan has succeeded is clear. Today the North is almost entirely dominated by and dependant upon southern and foreign owned uranim developments. [The Saskatchewan government has leased almost the entire North -- to itself, in partnership with more than 250 multi-national corporations and foreign utilities for the purpose of uranium and other mineral development.]

The land and resources have been given away in total disregard of Native land claims. Trap lines have been burnt and wldlife driven off. The people have been forced away from traditional pursuits and into urban population centres. Once on the reserves and in towns and cities, Indians are expected to assimilate and conform to the ways of southern society.

Today in Saskatchewan, Indigenous People represent more than half of the prison population. Life expectancy is ten years less than national levels. The suicide rate is more than six times the national average, and is particlarly high between the ages of 15 to 24. Less than a third of the working age population is employed. In some Northern communities close to 90% of the people are unemployed. Less than half of the homes are provided with running water, indoor plumbing and sewage disposal.

Federal inspections made of domestic wastewater treatment facilities on Saskatchewan reserves, discovered that about 75% were not operating properly. In the Meadow Lake district for example (which includes nine reserves) 80% of the sewage treatment facilities are not meeting federal health and environmental regulations.

Government statistics report that "over half of Indian health problems are alcohol related", and that "violent deaths are three to four times national levels", but fail to address the fundamental causes of alcoholism and violence. It is not possible to grasp the problems without also understanding the conditions which spawned them, and the heavy pressures brought to bear by colonialism.

The colonization of Northern Saskatchewan has meant an overwhelming psychological, spiritual and economic offensive against Indian people through the agency of churches, school systems, resource exploitation policies, and the denial of real political representation, etc. The natural culture, economy, political and social structure and religious ceremonies have been drastically altered or destroyed. There is a continuing and consistent pressure by the Canadian government to "civilize" and "integrate" Indian people.

An anti-Indian petition to Provincial and Federal Governments is presently circulating in Saskatchewan. The petition is clearly being used to create racial tensions, presenting Indians as the cause of fish and wildlife depletion in the North, and as savages that can't conform to "modern" ways. The people who wrote this petition do not understand that the Indian People have had no choice in bringing about the present situation in the North. They do not understand that non-Indian people are the "new Indians", that we are all being poisoned. The present corporate-government structure does not represent the people, nor show concern for public health and public input into decisions. Indians and non-Indians are not enemies, but rather collective victims of a system that disregards people and the future.

The GROUP FOR SURVIVAL sees the need for a Gathering and forum in which all our voices can be heard. The technocracy which has already proved so destructive wll forecose the future if allowed to continue. In response to this threat the Group for Survival is seeking alliances with others to assist in the struggle to ensure a safe, clean and healthy future for all people.

Contact:
Anna Mae Aquash Survival Camp
Pinehouse Lake, Saskatchewan, Canada

Your friendly Nuclear executive

A Book Review

American Genesis: The American Indian and the Origins of Modern Man, Jeffrey Goodman, Ph.D., Summit Books, New York, 1981.

Every once in a while it happens that a book comes along which is controversal and deserves a lot of attention. American Genesis is such a book. The basic thesis of the book stems from work done in the field of archaeology over the past ten years or so, work which is not well known to the public. The results of that work, according to Dr. Goodman, points to a radical new interpretation of the origins of homo sapiens or the modern man referred to in the title.

Goodman begins by exploding the old myths of the origins of America's Native peoples. He talks intelligently and convincingly of the origins of the theory that American Indians are descendents of the Lost Tribes of Israel. That theory was originally proposed by Spanish conquistadores who thought that the Bible was the source of all knowledge. Since the American Indians are not mentioned in the Bible, the Spanish explorers speculated that the Indians must be one of the lost tribes of Israel, since the Bible, as the word of God, could be neither wrong nor incorrect, and since the Lost Tribes of Israel were a convenient way of explaining the inexplicable.

The Lost Tribes origin theory has survived for nearly five centuries and it continues to survive even though there is no archaeological proof that any Semetic tribes ever migrated to the Americas and there is vast archeological proof that the Americas were occupied thousands of years before the Lost Tribes became lost. The theory that the American Indians are descendents of the Lost Tribes was a theory which was intended to support the idea that the Bible is a supreme source of knowledge – God's word – and it was not a serious attempt at a scientific discovery of the origins of the peoples of the Americas.

Goodman explores and explodes that theory with surgical precision. He carries the discussion to the modern version of the same theory in the form of the articles of faith of one of the largest and fastest growing Christian tendencies, the Church of Latter Day Saints. The treatment of these topics is, to say the least, enlightening.

Some people believe that the American Indians are descendents of peoples who fled the (presumably, at the time, sinking) continents of Atlantis or Lemuria (better known as Mu). Goodman's treatment of these theories is refreshing. While pointing out that there is, as yet, no physical or other evidence to support these theories of migration, and that there has been no evidence to support the former existence of either Atlantis or Mu, he is careful to keep open the possibility that there may have been some germ of truth to these ideas. The Hopi, for example, have an oral tradition of an ancient migration from islands or lands in or beyond the Pacific.

From sunken continents and Lost Tribes, the author turns his attention to the Bering Bridge theory. According to this theory, (first postulated by no less that Thomas Jefferson,) the American Indian is a relatively recent immigrant from Asia via a prehistoric land bridge across the Bering Strait. This was the theory almost everyone was taught in school, and which is still being taught in schools around the world. In a long and careful study of the origins and history of this theory, Goodman points out that there never was any hard physical evidence of mass migrations by that route, and that modern evidence of very ancient human occupation of sites in the Americas forces the logical mind to conclude that if there was a human crossing of a land bridge, it was a very ancient land bridge, indeed.

Goodman's thesis, revealed several chapters into the book, is that human habitation in the Americas is far more ancient than archaeologists have previously believed. He argues that Homo sapiens have occupied the Americas for tens of thousands and possibly hundreds of thousands of years longer than he has inhabited any other part of the world, and that from the mounting archaeological evidence we may conclude that it is very possible that Homo sapiens may have evolved in the Americas, and that if there was a migration, it was from the Americas to the other continents of the world!

As evidence of this startling (to some) theory, he points to newly developed dating techniques which have been applied to fossils and artifacts which support an antiquity heretofore believed to be quite impossible: a cutting tool believed by geologists to be 125,000 years old, an engraved stone found in Arizona which is thought to be around 100,000 years old.

Goodman points to the excavations which took place during the 1960s at Calico Hills, California and which were examined by Dr. Louis Leakey who was the dean of early man archaeologists. Leakey thought that there was evidence for very early man in the Americas, possibly dating back as far as 500,000 years. Leakey also postulated that Homo sapiens, (fully modern man) may have originated in the Americas.

This is pretty heavy stuff for an archaeologist. Goodman goes on to support his theory by pointing to the Hopi origin myths which tell of very ancient migrations, of past cultures and civilizations, of their association with the San Francisco Peaks and the archaeological finds there. He states that the oral tradition of the Hopis supports the theory, and that most, if not all, of the American Indian groups report that they originated in the Americas at some very ancient date.

Some of the information he sites will come as no surprise to traditional American Indian peoples. A good portion of the book will serve to enlighten people about the histories of the myths which have served as theories of American Indian origins. If there is a weak area in the work, it comes when the author speculates about the migration patterns of very early Homo sapiens and of the extensive, but unproven, achievements of ancient man in the Americas. Those sections are worth reading, but they lack the power and positiveness with which the author took us from the Lost Tribes and sunken continents theories (to which most of us were probably at one time or another at least temporary victims,) through the Bering Bridge theory which was, on reflection, as much a fraud as were the fundamentalist versions.

There remain many unanswered questions about the origins of Man. Goodman's strength is that he demystifies the reader and sets the record straight about past theories and the motives behind those theories. The story of the history of archaeology and the games people play in the academy is one which every freshman college student should read. The astute, especially the philosophically astute, will note that "we" in the West really know very little about who we are as a species, where we came from, how we got here, and where we go from here.

(Chimaltenango Cont. from p. 14)

appear several days later strewn in grotesque poses on the main road to the community, in the town center, or in some other public place.

As more soldiers arrive in the community, they make house-to-house searches for supposed subversives. The soldiers have "death lists" of potential victims, and they search for them methodically. Local people are hired to identify persons whose names appear on these lists. Potential victims receive letters informing them that they are going to be killed, and rumors circulate through the community. Soldiers often kidnap people whose names are similar to those on the lists without verifying their actual identities. If a person does manage to escape or goes into hiding, the soldiers will murder family members who are left behind.

The atrocities committed by the army to create the desired level of terror are appalling. A three-year-old baby was cut to pieces in the presence of her mother before she died. Three soldiers raped a seventy-year-old woman before killing her. One woman was hanged by her breasts for two days, and a pistol was fired into the vagina of another woman. Corpses often appear with legs and arms that have been boiled. When an officer in the reserves protested the torture and death of innocent people, his superiors ordered him shot in the head at midday in the main street of one of the villages.

One of the most brutal incidents took place in the village of Las Lomas in the municipality of San Martin Jilotepeque in early February. The army burned the village and killed and tortured the elderly, women, and children. The soldiers hanged some women from trees before setting fire to their houses and crops. When the terrorized villagers ran to seek shelter in the ravines and woods, the army attacked them from helicopters.

The government rationalizes its terror campaign by asserting that these people are communists led by Cuban and Russian instigators. There is no validity to these claims. The people of Chimaltenango are farmers whose main concern is to produce enough food to support their families True, they are angry, and some among them are rebels. But it must be made clear who these people are and what they seek to achieve.

Michael C. Howard
Thomas J. Maloney
Kelly Layton

SHORT NOTE

Attorney Richard Schifter (see "The Navajo Mineral Swindle," this issue) has been appointed the U.S. representative to the United Nations Human Rights Commission. Last year, he was appointed U.S. representative to the Madrid Conference on the Helsinki Accords. Mr. Schifter is the law partner of Attorney Arthur Lazarus, Jr., one of three lawyers recently awarded a total of more than $10 million in legal fees for their work in settling the Black Hills claim. The settlement came several years after Mr. Lazarus was fired as claims attorney by the Oglala Sioux Tribe.

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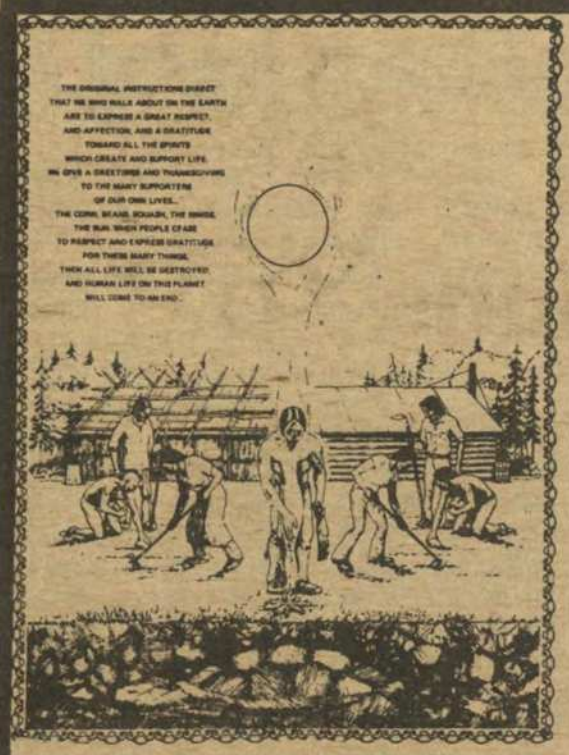
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POETRY

ASK A STUPID QUESTION

(for the FBI agent who, inquiring about a sister asked, "Who is in her network?")

Who is in my network,
what links us, to be exact?
Better ask to understand the force
that cuts through rock the waters' course
and binding like to like
makes also opposites atract.

Who guides the earthworm underground,
and makes the stubborn ants persist?
When wind and rain erode the land,
who calls the rootwork to resist?
And what clandestine hand inscribed
the coded message in the seed?
Who masterminds the spider's web.
a[illegible]ns the strategy of the weed?

What inspiration could invent
the infrastructure of the vine,
the grass revolt against cement,
the rebellion of the dandelion?
What force undermines the walls
to make them crack,
or makes the branches of the trees when cut
grow back?
Who conceals the passages between
death and birth?
Who leads the revolution of the Earth?

Who is in my network,
what links us, to be exact?
Better ask to understand the force
that cuts through rock the water's course
and binding like to like
makes also opposites attract.

Investigate the daisies for invasion of the lawn
or the ivy for trespass where it wants to grow

Indict the sky for pouring out its rain,
contributing to the river's overflow.
Arrest the seagull for unlawful flight,
impose a boundary to confine the sea,
demand a mountain modify its height,
dare my woman-spirit to break free.

—Susan Saxe

my history lesson

as a little girl I asked my grandfather what the red man had done
to make the white man hate hims so.
my grandfather replied that it was because the red man
did everything backwards.
like eating buffalo instead of enjoying them for sport.
like looking at the sun instead of using a clock.
like thinking that amn is rich according to what he gives away
rather than what he possesses.
like thinking that a person becomes very wise in old age
rather than feeble and useless.
like the way even the men wear their hair long and decorated
instead of clean-cut as a gentleman should.
the red man held back progress my grandfather siad.
that is why it was necessary to kill him even when
he did not have a gun and to re-educate the leftovers
on government reservations.
afterall, the red man had no rights here.
we all know columbus discovered america,
don't we darling. . . . . .

by bonnie jean silva

THE EVENING NEWS

On Channel 5 they
said
American advisors
were neccesary to
protect American
interests against
terrorists who have
no respect for
free enterprise.

On Channel 5 they
then
defined "terrorist", they
showed the guns, the
bullets, and a de-coded
message that proved
beyond a doubt that
there was a communist
conspiracy behind.

They did not say on Channel 5
what the "terror" was
that caused the "terrorists"
They never showed the "signs of
torture"--no eyes gauged out
on Channel 5, no testicles cut off
on Channel 5.

They never said on Channel 5
how the poor people live
They never traced on Channel 5
the connections between the paid assasins
and the fourteen families who in
partnership with American Companies
own 80% of the land.
Nor did they ever say what the
American interests were that
needed so much protection.

They never showed on Channel 5
a good, clear-thinking man
that could reason out the need
for the struggle of a People

But yet there was Cronkite or maybe
Reynolds or Severeid sitting across from
Ronald Reagan, gently, smiles of respect, calm,
collected, deferential, "Mr. President, how far
would you be willing to go to stop communist
subversion in this continent?"

---Reagan smiling---

I'd like to ask you,
Mr. America:
"Do you really
believe
the hostages are free?"

---Ismaelillo